

**REPORT
OF THE
COMMITTEE ON DISARMAMENT**

GENERAL ASSEMBLY

OFFICIAL RECORDS: THIRTY-FIFTH SESSION

SUPPLEMENT No. 27 (A/35/27)



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NOTE

Symbols of United Nations documents are composed of capital letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

The present volume contains the report of the Committee and appendix I. For appendix II (List and text of documents issued by the Committee), see CD/139/Appendix II/Vols. I and II; for appendix III (Index of statements by country and subject and verbatim records of the Committee in 1980), see CD/139/Appendix III/Vols. I-V.

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I. INTRODUCTION

1. The Committee on Disarmament submits to the thirty-fifth session of the United Nations General Assembly its annual report on its 1980 session, together with the pertinent documents and records. This report also includes an account of the organization of the Committee (part II) and of the Committee's work based on the agenda adopted for 1980 (part III).

II. ORGANIZATION OF THE COMMITTEE

A. 1980 session of the Committee

2. The Committee was in session from 5 February to 29 April and from 12 June to 9 August 1980. During this period, the Committee held 48 formal plenary meetings at which members set forth their Governments' views and recommendations on the questions before the Committee.

3. The Committee also held 45 informal meetings on various subjects, including its schedule of work, organization and procedures, as well as items of the agenda considered by the Committee.

4. In accordance with rule 9 of the rules of procedure, the following Member States assumed the Chairmanship of the Committee: Canada for February, China for March, Cuba for April and the recess between the first and second part of the 1980 session of the Committee, Czechoslovakia for the remainder of June, Egypt for July, and Ethiopia for August and the recess until the 1981 session of the Committee.

B. Participants in the work of the Committee

5. Representatives of the following Member States participated in the work of the Committee: Algeria, Argentina, Australia, Belgium, Brazil, Bulgaria, Burma, Canada, China, Cuba, Czechoslovakia, Egypt, Ethiopia, France, German Democratic Republic, Germany, Federal Republic of, Hungary, India, Indonesia, Iran, Italy, Japan, Kenya, Mexico, Mongolia, Morocco, Netherlands, Nigeria, Pakistan, Peru, Poland, Romania, Sri Lanka, Sweden, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela, Yugoslavia and Zaire. The lists of participants are included as Appendix I to the report.

C. Agenda for the 1980 session and programme of work for the first and second parts of the session

6. At the 61st plenary meeting the Chairman submitted a proposal on the provisional agenda of the Committee, in conformity with rule 29 of the rules of procedure. In submitting that proposal, the Chairman stated the following:

"In accordance with rule 27 of its rules of procedure the Committee, in adopting its agenda for 1980 (contained in Working Paper No. 1) shall take into account the recommendations made to it by the General Assembly, the proposals presented by members of the Committee and the decisions of the Committee.

"The recommendations made to the Committee by the General Assembly at its thirty-fourth session, some of which contain specific requests to report to the Assembly at its thirty-fifth session, are referred to in the letter of the Secretary-General in document CD/55. They are the following:

- 34/72 'Chemical and bacteriological (biological) weapons'
- 34/73 'Implementation of General Assembly resolution 33/60'
- 34/79 'Prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons'
- 34/83 B 'Report of the Committee on Disarmament'
- 34/83 G 'Non-use of nuclear weapons and prevention of nuclear war'
- 34/83 J 'Nuclear weapons in all aspects'
- 34/84 'Conclusion of an international convention on the strengthening of guarantees of the security of non-nuclear-weapon States'
- 34/85 'Conclusion of an international convention to assure the non-nuclear-weapon States against the use or threat of use of nuclear weapons'
- 34/86 'Strengthening of the security of non-nuclear-weapon States against the use or threat of use of nuclear weapons'
- 34/87 A 'Conclusion of an international convention prohibiting the development, production, stockpiling and use of radiological weapons'
- 34/87 D 'Prohibition of the production of fissionable material for weapon purposes'.

"In addition to the items inscribed in the provisional agenda, proposals were presented by members of the Committee concerning the inclusion of (a) as a sub-item of item 2, the question of 'Non-use of nuclear weapons and prevention of nuclear war', (b) additional items on 'Conventional weapons', on which an official document has been circulated during the current session of the Committee, as well as on 'Disarmament and development', and (c) a separate item on 'Radiological weapons'.

"Previous decisions of the Committee relating to the items on the provisional agenda are contained in its report to the General Assembly at its thirty-fourth session (document CD/55).

"It is understood that members of the Committee will take into account the recommendations made to it by the General Assembly at its thirty-fourth session under the relevant items of its agenda, and that, in accordance with rule 30 of the rules of procedure, it is the right of any Member State of the Committee to raise any subject relevant to the work of the Committee at a plenary meeting and to have full opportunity of presenting its views on any subject which it may consider to merit attention.

"It is further understood that the annual report of the Committee (item 7) will, inter alia, deal with the following two questions: (a) State of the consideration of the proposals and suggestions listed in paragraph 125 of the Final Document of the tenth special session of the General Assembly devoted to

disarmament, which were transmitted to the Committee with General Assembly resolution 33/71 L., and (b) Consideration of the modalities of the review of the membership of the Committee, referred to in General Assembly resolution 33/91 G."

7. Some delegations made statements in connexion with the provisional Agenda, which was adopted by the Committee at the same plenary meeting. At the 67th plenary meeting of the Committee, the Chairman submitted a proposal concerning the programme of work for the first part of the session, which was also adopted by the Committee. The text of the agenda and programme of work for the first part of the session (document CD/62 and Add.1) read as follows:

"The Committee on Disarmament, as the multilateral negotiating forum, shall promote the attainment of general and complete disarmament under effective international control.

"The Committee, taking into account inter alia the relevant provisions of the Final Document of the first special session of the General Assembly devoted to disarmament, will deal with the cessation of the arms race and disarmament and other relevant measures in the following areas:

- I. Nuclear weapons in all aspects;
- II. Chemical weapons;
- III. Other weapons of mass destruction;
- IV. Conventional weapons;
- V. Reduction of military budgets;
- VI. Reduction of armed forces;
- VII. Disarmament and development;
- VIII. Disarmament and international security;
- IX. Collateral measures; confidence-building measures; effective verification methods in relation to appropriate disarmament measures, acceptable to all parties concerned;
- X. Comprehensive programme of disarmament leading to general and complete disarmament under effective international control.

"Within the above framework, the Committee on Disarmament adopts the following agenda for 1980 which includes items that, in conformity with the provisions of section VIII of its rules of procedure, would be considered by the Committee:

1. Nuclear test ban.
2. Cessation of the nuclear arms race and nuclear disarmament.
3. Effective international arrangements to assure non-nuclear weapon States against the use or threat of use of nuclear weapons.
4. Chemical weapons.

5. New types of weapons of mass destruction and new systems of such weapons; radiological weapons.
6. Comprehensive programme of disarmament.
7. Consideration and adoption of the annual report and any other report as appropriate to the General Assembly of the United Nations.

"In compliance with rule 28 of its rules of procedure, the Committee also adopts the following programme of work for the first part of its 1980 session:

PROGRAMME OF WORK

* * *

- | | |
|--------------------|--|
| 5-15 February | Statements in the plenary. Consideration of the agenda and programme of work. |
| 19-29 February | Preliminary consideration, including the question of the establishment of <u>ad hoc</u> working groups, of the following items: nuclear test ban; effective international arrangements to assure non-nuclear weapon States against the use or threat of use of nuclear weapons; radiological weapons; chemical weapons and comprehensive programme of disarmament. |
| 3-7 March | Nuclear test ban - Chemical weapons - Consideration of the question of the establishment of <u>ad hoc</u> working groups. |
| 11-12 March | Effective international arrangements to assure non-nuclear weapon States against the use or threat of use of nuclear weapons. |
| 13-14 March | Chemical weapons - radiological weapons. |
| 17-28 March | Comprehensive programme of disarmament. |
| 31 March - 4 April | New types of weapons of mass destruction and new systems of such weapons; radiological weapons. |
| 7-18 April | Cessation of the nuclear arms race and nuclear disarmament. |
| 21-25 April | Nuclear test ban. |
| 28-29 April | Reports of <u>ad hoc</u> working groups, if any. |

"In adopting its agenda and programme of work, the Committee has kept in mind the provisions of rules 30 and 31 of its rules of procedure".

8. During the second part of the 1980 session of the Committee, the Chairman submitted, at the 84th plenary meeting, a proposal on the programme of work for the second part of the session. In submitting that proposal, the Chairman made the following statement: "It is the Chairman's understanding that in scheduling meetings of Ad hoc Working Groups the Chairman of the Committee and the Chairmen of the Working Groups will, inter alia, take into account the availability of technical experts, bearing in mind the need for an equitable allocation of time among the Ad hoc Working Groups".

9. At the same plenary meeting, the Committee adopted the proposal of the Chairman. It read as follows (document CD/101):

"In compliance with rule 28 of its Rules of Procedure and taking into account rule 30, the Committee on Disarmament adopts the following programme of work for the second part of its 1980 session:

12-16 June	Consideration of the programme of work for the second part of the 1980 session.
17-20 June	Nuclear test ban.
23 June - 4 July	Cessation of the nuclear arms race and nuclear disarmament. <u>1/</u>
7-16 July	New types of weapons of mass destruction and new systems of such weapons; radiological weapons.
17-25 July	Nuclear test ban.
28 July - .. August	Consideration of the reports of the <u>ad hoc</u> working groups on (a) effective international arrangements to assure non-nuclear weapon States against the use or threat of use of nuclear weapons (b) comprehensive programme of disarmament (c) radiological weapons and (d) chemical weapons; <u>2/</u> Consideration and adoption of the annual report to the General Assembly of the United Nations. <u>3/</u>

Members of the Committee wishing to make statements in the plenary on items before the ad hoc working groups may do so at any time.

1/ As decided by the Committee at its 82nd plenary meeting on 29 April 1980, the period 24-26 June will also be devoted to informal meetings with experts on matters related to chemical weapons.

2/ Reports of ad hoc working groups that are ready may be considered at plenary or informal meetings earlier.

3/ In accordance with rule 44 of the Rules of Procedure, the draft reports to the United Nations General Assembly shall be made available to all Member States of the Committee for consideration at least two weeks before the scheduled date for their adoption. The annual report of the Committee will, inter alia, deal with the following two questions: (a) State of the consideration of the proposals and suggestions listed in paragraph 125 of the Final Document of the first special session of the General Assembly devoted to disarmament, and (b) Consideration of the modalities of the review of the membership of the Committee. Informal meetings to consider these two questions will be scheduled earlier."

"In accordance with the decision taken by the Committee at its 82nd plenary meeting on 29 April 1980, the ad hoc working groups established by the Committee shall meet for the first time during the second part of the 1980 session on the following dates:

- Radiological Weapons on 16 June at 3.00 p.m.
- Chemical Weapons on 17 June at 3.30 p.m.
- Effective International Arrangements to assure non-nuclear weapon States against the use or threat of use of nuclear weapons on 18 June at 3.00 p.m.
- Comprehensive Programme of Disarmament on 19 June at 3.00 p.m.

Thereafter the ad hoc working groups shall hold at least one meeting per week, as follows:

- Radiological Weapons on Mondays afternoon
- Effective International Arrangements to assure non-nuclear weapon States against the use or threat of use of nuclear weapons on Tuesdays afternoon
- Chemical Weapons on Wednesdays afternoon
- Comprehensive Programme of Disarmament on Thursdays afternoon

"Additional meetings of the ad hoc working groups will be convened weekly after consultation between the Chairman of the Committee and the Chairmen of the ad hoc working groups, according to the circumstances and needs of the various groups, as well as availability of additional time for meetings, bearing in mind the need for equitable allocation of time among the ad hoc working groups.

"In adopting its programme of work, the Committee has kept in mind the provisions of its Rules of Procedure."

10. At its 93rd plenary meeting, the Committee decided to close its 1980 session on 8 August. At its 99th plenary meeting, the Committee decided to postpone the closing date to 9 August.

D. Participation by States not members of the Committee

11. In conformity with rule 32 of the Rules of Procedure, the following States not members of the Committee communicated their intention to attend the plenary meetings of the Committee: Austria, Burundi, Denmark, Finland, Greece, the Holy See, Jordan, New Zealand, Spain, Switzerland, Turkey and Viet Nam.

12. The Committee received and considered requests to participate in its work from States not members of the Committee. Several delegations made statements in this connexion. The statements of two of them were circulated as official documents of the Committee on Disarmament (CD/83 and CD/137). In accordance with its rules of procedure, the Committee invited:

(a) the representatives of Denmark and Finland to participate in the formal and informal meetings of the Committee dealing with chemical weapons, as well as in meetings of its ad hoc Working Group on the same item during its 1980 session;

(b) the representative of Spain to participate in the formal meetings of the Committee dealing with chemical weapons during its 1980 session;

(c) the representative of Austria to participate in the formal and informal meetings of the Committee dealing with effective international arrangements to assure non-nuclear weapon States against the use or threat of use of nuclear weapons, as well as in meetings of its ad hoc Working Group on the same item during its 1980 session; and

(d) the representative of Switzerland to participate in meetings of its ad hoc Working Group on chemical weapons during its 1980 session.

13. At the request of the Socialist Republic of Viet Nam (CD/PV.87, CD/108), the Committee decided to postpone consideration of the question of its participation in the discussion on chemical weapons. Several statements were made in this context (PV/76 and PV/87).

14. At the 69th plenary meeting of the Committee, the Chairman stated that it was understood that, in accordance with rule 32 of the Rules of Procedure, representatives of non-member States should have reserved seats in the conference room during the meetings of the ad hoc Working Groups established by the Committee to continue to negotiate with a view to reaching agreement on effective international arrangements to assure non-nuclear weapons and to initiate negotiations on the comprehensive programme of disarmament.

15. At its 86th plenary meeting, the Committee decided that the informal meetings with experts on chemical weapons held during the period 24 to 26 June should be open to States not members of the Committee and to the public.

16. At its 92nd plenary meeting, the Committee also decided to invite States not members of the Committee which are members of the Ad hoc Group of Scientific Experts to Consider International Co-operative Measures to Detect and Identify Seismic Events to be present at the informal meeting with experts members of that Group, held on 18 July 1980 to consider the Tenth progress report of the Group, (CD/119) and the subjects referred to in document CD/93.

E. Proposal to amend the rules of procedure regarding participation by States not members of the Committee

17. The delegation of Mexico submitted on 31 July 1980 (CD/PV.95) for consideration at the 1981 session of the Committee, a Working Paper contained in document CD/129, dated 29 July 1980, entitled "Working Paper Containing Draft Amendments to Section IX of the Rules of Procedure of the Committee on Disarmament, entitled 'Participation by States not members of the Committee'".

F. Communications from non-governmental organizations

18. In accordance with Article 42 of the Rules of Procedure, a list of all communications from non-governmental organizations was circulated to the Committee (CD/NGC.2).

III. WORK OF THE COMMITTEE DURING ITS 1980 SESSION

19. The work of the Committee during its 1980 session was based on its agenda and programme of work adopted for the year. The list of documents issued by the Committee, as well as the texts of those documents, are included as Appendix II to the report. An index of the verbatim records by country and subject, listing the statements made by delegations during 1980, and the verbatim records of the meetings of the Committee are attached as Appendix III to the report.

20. The Committee also had before it a letter dated 25 January 1980 from the Secretary-General of the United Nations (CD/55), transmitting all the resolutions on disarmament adopted by the General Assembly at its thirty-fourth session in 1979, in particular those entrusting specific responsibilities to the Committee on Disarmament, which are mentioned in paragraph 6 of this report.

21. In the same letter the Secretary-General drew attention, in particular, to the following provisions of those resolutions:

(a) In resolution 34/72, operative paragraph 2 urges the Committee on Disarmament to undertake, at the beginning of its 1980 session negotiations on an agreement on the complete and effective prohibition of the development, production and stockpiling of all chemical weapons and on their destruction, as a matter of high priority, taking into account all existing proposals and future initiatives; and operative paragraph 3 requests the Committee on Disarmament to report on the results of its negotiations to the General Assembly at its thirty-fifth session.

(b) In resolution 34/73, operative paragraph 4 requests the Committee on Disarmament to initiate negotiations on a treaty to achieve the prohibition of all nuclear test explosions by all States for all time, as a matter of the highest priority.

(c) In resolution 34/79, operative paragraph 1 requests the Committee on Disarmament, in the light of its existing priorities, actively to continue negotiations, with the assistance of qualified governmental experts, with a view to preparing a draft comprehensive agreement on the prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons and, where necessary, specific agreements on particular types of such weapons; and operative paragraph 2 requests the Committee on Disarmament to submit a report on the results achieved to the General Assembly for consideration at its thirty-fifth session.

(d) In resolution 34/83 B, operative paragraph 1 urges the Committee on Disarmament to proceed, without any further delay, to substantive negotiations on the priority questions of disarmament on its agenda, in accordance with the provisions of the Final Document of the Tenth Special Session of the General Assembly and the other relevant resolutions of the Assembly on these subjects; operative paragraph 3 requests the Committee on Disarmament to initiate negotiations at its next session on the comprehensive programme of disarmament, with a view to completing its elaboration before the second special session of the General Assembly on disarmament and, in doing so, to take as a basis the recommendations adopted by the Disarmament Commission; and operative paragraph 4 requests the Committee on Disarmament to submit a report on its work to the General Assembly at its thirty-fifth session.

(e) In resolution 34/83 G, operative paragraph 1 decides to transmit to the Committee on Disarmament the views of States concerning the non-use of nuclear weapons, avoidance of nuclear war and related matters; and operative paragraph 2 requests the Committee on Disarmament to take those views into appropriate consideration and to report thereon to the General Assembly at its thirty-fifth session.

(f) In resolution 34/83 J, operative paragraph 1 requests the Committee on Disarmament to continue at the beginning of its 1980 session consideration of the item "Nuclear weapons in all aspects" and to undertake preparatory consultations on the negotiations referred to in paragraph 2 of the same resolution; operative paragraph 2 requests the Committee on Disarmament to initiate, as a matter of high priority, negotiations, with the participation of all nuclear-weapon States, on the question of the cessation of the nuclear arms race and nuclear disarmament, in accordance with the provisions of paragraph 50 of the Final Document of the Tenth Special Session of the General Assembly; and operative paragraph 3 further requests the Committee on Disarmament to report on the results of those negotiations to the General Assembly at its thirty-fifth session.

(g) In resolution 34/84, operative paragraph 4 requests the Committee on Disarmament to continue negotiations on a priority basis during its 1980 session with a view to their early conclusion with the elaboration of a convention to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons.

(h) In resolution 34/85, operative paragraph 4 recommends that the Committee on Disarmament should conclude effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons during its 1980 session, taking into account the widespread support for the conclusion of an international convention and giving consideration to any other proposals designed to secure the same objective.

(i) In resolution 34/86, operative paragraph 3 requests the Committee on Disarmament to continue its efforts at its next session with a view to reaching agreement on effective international arrangements further to strengthen the security of the non-nuclear-weapon States and report to the General Assembly at its thirty-fifth session.

(j) In resolution 34/87 A, operative paragraph 2 requests the Committee on Disarmament to proceed as soon as possible to achieve agreement, through negotiation, on the text of an international convention prohibiting the development, production, stockpiling and use of radiological weapons and to report to the General Assembly on the results achieved for consideration by the Assembly at its thirty-fifth session.

(k) In resolution 34/87 D, its operative paragraph requests the Committee on Disarmament, at an appropriate stage of its work on the item entitled "Nuclear weapons in all aspects", to pursue its consideration of the question of adequately verified cessation and prohibition of the production of fissionable material for nuclear weapons and other nuclear explosive devices and to keep the General Assembly informed of the progress of that consideration.

22. By the same letter and in compliance with paragraph 6 of General Assembly resolution 34/83 H, the Secretary-General transmitted to the Committee the report and recommendations of the Disarmament Commission on the elements of a comprehensive

programme of disarmament, which are contained in document A/34/42. In accordance with General Assembly resolutions 34/79, 34/36 and 34/37 A, the Secretary-General also transmitted to the Committee all documents relating to the subjects considered by those resolutions.

23. At the 53rd plenary meeting of the Committee on 5 February 1980, the Secretary of the Committee and Personal Representative of the Secretary-General conveyed to the Committee a message from the Secretary-General on its 1980 session (CD/PV.53).

24. The Committee received the following documents concerning various items of the agenda:

(a) Document CD/57, dated 11 February 1980, submitted by the delegation of Romania and entitled "Romania's position on disarmament".

(b) Document CD/53, dated 12 February 1980, submitted by the delegation of the German Democratic Republic, transmitting the communiqué adopted at the meeting of the Committee of the Ministers for Foreign Affairs of the Warsaw Treaty Member States held at Berlin on 5 and 6 December 1979.

(c) Document CD/60, dated 13 February 1980, submitted by the delegation of Poland and entitled "Poland's Policy on détente and disarmament".

(d) Document CD/63, dated 3 March 1980, submitted by the delegation of Bulgaria and entitled "The position of the People's Republic of Bulgaria on détente and disarmament at the present stage".

(e) Document CD/64, dated 27 February 1980, entitled "Statement of the Group of 21 */ on the establishment of working groups on items on the annual agenda of the Committee on Disarmament in 1980".

(f) Document CD/67, dated 28 February 1980, submitted by the delegation of Poland and entitled "Resolution of the Eighth Congress of the Polish United Workers' Party".

(g) Document CD/71, dated 4 March 1980, submitted by the delegation of the Union of Soviet Socialist Republics and entitled "Extracts from the address delivered by Mr. L.I. Brezhnev, General Secretary of the Central Committee of the Communist Party of the Soviet Union and Chairman of the Presidium of the Supreme Soviet of the USSR, at the meeting of electors in the Bauman electoral district, Moscow, on 22 February 1980".

(h) Document CD/88, dated 14 April 1980, entitled "Letter dated 11 April 1980 addressed to the Chairman of the Committee on Disarmament from the Permanent Representative and Head of the Delegation of Egypt to the Committee on Disarmament in connexion with CD/71 of 4 March 1980".

*/ Algeria, Argentina, Brazil, Burma, Cuba, Egypt, Ethiopia, India, Indonesia, Iran, Kenya, Mexico, Morocco, Nigeria, Pakistan, Peru, Sri Lanka, Sweden, Venezuela, Yugoslavia, Zaire.

(i) Document CD/92, dated 17 April 1980, submitted by the delegation of the Union of Soviet Socialist Republics and entitled "Letter from the Minister for Foreign Affairs of the JSSR addressed to the Secretary-General of the United Nations concerning the tasks of the Second Disarmament Decade".

(j) Document CD/98, dated 17 June 1980, entitled "Letter dated 9 June 1980 from the Chargé d'Affaires A.I. of the Permanent Representation of the Polish People's Republic enclosing the Declaration of the States Parties to the Warsaw Treaty adopted at the meeting of the Political Consultative Committee in Warsaw on 15 May 1980".

(k) Document CD/99, dated 12 June 1980, entitled "Letter dated 10 June 1980 from the Permanent Representative of Canada forwarding a document 'Compendium of Arms Control Verification Proposals'".

(l) Document CD/100, dated 12 June 1980, entitled "Letter dated 10 June 1980 from the Permanent Representative of the Mongolian People's Republic, enclosing the text of a statement dated 20 May 1980 by the Government of the Mongolian People's Republic in support of the Declaration adopted at a meeting of the Political Consultative Committee of the States Parties to the Warsaw Treaty, held at Warsaw on 14 and 15 May 1980".

(m) Document CD/107, dated 27 June 1980, entitled "Letter dated 27 June 1980 from the Permanent Representative of the German Democratic Republic transmitting a letter of Mr. Oskar Fischer, Minister of Foreign Affairs of the German Democratic Republic".

(n) Document CD/127 dated 29 July 1980, entitled "Letter from the Counsellor of the Permanent Mission of Canada forwarding a document 'Quantitative Working Paper on the Compendium of Arms Control Verification Proposals'".

A. Nuclear-test ban

25. The item on the agenda entitled "Nuclear test ban" was considered by the Committee, in accordance with its programme of work, during the periods 19-29 February, 3-7 March, 21-25 April, 17-20 June, 17-25 July and 1-5 August.

26. The Committee had before it the progress reports on the Ninth and Tenth Sessions of the Ad Hoc Group of Scientific Experts to consider International Co-operative Measures to Detect and Identify Seismic Events (documents CD/61 and CD/119) which met from 11 to 15 February and from 7 to 16 July.

27. In addition to the reports submitted by the Ad Hoc Group, the following documents were presented to the Committee during the year in connexion with the item:

(a) Document CD/72, dated 4 March 1980, entitled "Statement of the Group of 21 on a Comprehensive Nuclear Test Ban Treaty".

(b) Document CD/73, dated 5 March 1980, submitted by the delegation of the Federal Republic of Germany and containing a working paper entitled "Workshop on the demonstration of procedures to obtain seismic data at individual stations under different conditions".

(c) Document CD/86, dated 16 April 1980, entitled "Letter dated 24 March 1980 from the Secretary-General of the United Nations transmitting the report on a comprehensive nuclear test ban, prepared pursuant to General Assembly decision 32/422 of 11 December 1979".

(d) Document CD/93, dated 18 April 1980, submitted by the delegation of Belgium and entitled "Prohibition of nuclear tests: proposal for an informal meeting of the Committee on Disarmament with the participation of experts members of the Ad Hoc Group of Scientific Experts to Consider International Co-operative Measures to Detect and Identify Seismic Events".

(e) Document CD/95, dated 22 April 1980, submitted by the delegation of Australia and entitled "An illustrative list of subjects which might be examined by the Committee on Disarmament in considering Agenda Item 1 'Nuclear Test Ban'".

(f) Document CD/130, dated 30 July 1980, entitled "Letter from the Permanent Representatives of the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland and the United States of America transmitting a document entitled 'Tripartite Report to the Committee on Disarmament'".

28. In conformity with the decision taken at its 91st plenary meeting, the Committee held on 18 July 1980 an informal meeting with experts members of the Ad Hoc Group of Scientific Experts to Consider International Co-operative Measures to Detect and Identify Seismic Events, to consider the tenth progress report of the Ad Hoc Group and the subjects referred to in document CD/93.

29. At its 61st and 94th plenary meetings on 19 February and 24 July 1980, the Committee approved the progress reports on the Ninth and Tenth Sessions of the Ad Hoc Group of Scientific Experts to Consider International Co-operative Measures to Detect and Identify Seismic Events.

30. The Committee expressed appreciation for the report transmitted by the Secretary-General of the United Nations on a comprehensive nuclear test ban (CD/86). Several delegations referred to this report in their statements, drawing attention to the Secretary-General's view stated in the CCD since February 1972 and strongly reaffirmed in the preface to the above-mentioned report, that the technical and scientific aspects of the problem had been so fully explored that only a political decision is necessary in order to achieve agreement on such a ban, especially if one takes into account the already existing means of verification by seismic and other methods. On the other hand, the view was expressed that some of the statements in the report indicated clearly that a number of important technical issues relating to verification remained to be resolved.

31. The informal meeting of members of the Committee with members of the ad hoc group of scientific experts on seismic events was useful and contributed to a better appreciation of the value of an international system for exchange of seismic data to identify seismic events.

32. The Committee recognized once again that among measures in relation to disarmament, a nuclear test ban had always been regarded as a matter of the highest priority. During discussions in the Committee the view was put forward that the technical and scientific aspects having been fully explored, there was enough material for undertaking multilateral negotiations in the Committee on Disarmament on a truly

comprehensive and universal nuclear test ban treaty. A proposal was made by the Group of 21 that a working group of the Committee be established for the purpose. However, the view was expressed that in the present situation, as also stated by the negotiating powers in their joint report referred to in paragraph 33 below, the most effective pursuit of a nuclear test ban treaty was through the continuation of the trilateral negotiations. The view was also expressed that the Committee could begin by examining institutional arrangements for the verification aspects of such a treaty. Others however contested this approach and felt that the Committee should concentrate on the negotiation of the treaty text itself. There was broad reaffirmation of the Committee's indispensable role in the negotiation of a treaty which could attract the widest possible adherence.

33. At the 95th plenary meeting of the Committee on 31 July 1980, the representative of the United Kingdom made a statement introducing the report on the status of the negotiations between the Union of Soviet Socialist Republics, the United Kingdom and the United States of America on a treaty prohibiting nuclear weapon tests in all environments and its protocol covering nuclear explosions for peaceful purposes (CD/130). The Committee took note of the statement made by the three negotiating Governments concerning their strong political commitment to completion of the nuclear test ban treaty and that several matters, including verification measures, were still under detailed negotiation.

34. Several delegations expressed their appreciation for the submission of the progress report and the information provided therein. Several delegations expressed disappointment over its late receipt at the end of the Committee's session, which prevented a full examination of its contents. Some delegations expressed their concern at the slow pace of the progress of the negotiations. Several specific comments were made on the substance of the report including the scope, duration, verification arrangements, etc., although some delegations felt that the information contained in the report was incomplete. Some delegations expressed disappointment with the substantive approach reflected in the report.

35. Several delegations expressed the view that insufficient progress had been made so far in the trilateral negotiations and that no end to those negotiations was yet in sight. They expressed the view therefore that the three negotiating nuclear powers should stop without further delay all nuclear weapon tests either through three individual moratoria or through a trilaterally negotiated moratorium. It was also suggested that an immediate moratorium should be declared on all nuclear weapon testing by all nuclear weapon States. Some other delegations further suggested that the moratorium should cover all nuclear explosions by all States. On the other hand the view was stated that a CTB, to promote stability and mutual confidence among its participants, must be based on adequate measures of verification, which a moratorium by definition would not.

36. The Committee will continue to treat this item as a matter of the highest priority during its session next year and will pursue efforts in regard to the achievement of a nuclear test ban treaty, taking into account the proposals made and views expressed in the Committee during its 1980 session.

B. Cessation of the nuclear arms race and nuclear disarmament

37. The item on the agenda entitled "Cessation of the nuclear arms race and nuclear disarmament" was considered by the Committee, in accordance with its programme of work, during the periods 7-18 April and 23 June - 4 July.

38. The following new documents were before the Committee in connexion with the item:

(a) Document CD/90, dated 17 April 1980, submitted by the delegations of Australia and Canada, and entitled "The Prohibition of the Production of Fissionable Material for Weapons Purposes".

(b) Document CD/109, dated 30 June 1980, submitted by the delegation of the German Democratic Republic, containing a working paper entitled "Proposal on behalf of a group of socialist countries */ concerning urgent steps for the practical implementation of 'Negotiations on ending the production of all types of nuclear weapons and gradually reducing their stockpiles until they have been completely destroyed (CD/4)'".

(c) Document CD/116, dated 9 July 1980, submitted by the Group of 21 and entitled "Working Paper on the Cessation of the Nuclear Arms Race and Nuclear Disarmament".

39. The Committee continued to bear in mind the high priority attached to this item by the Final Document of the first special session of the United Nations General Assembly devoted to disarmament. The broad compass of this question, the complex nature of the problems and the need for urgent action were widely acknowledged. Some delegations expressed the view that suitable conditions did not exist for multilateral negotiations on nuclear disarmament. Others disagreed with this contention and proposed that substantive negotiations on certain concrete issues could be commenced without delay in view of the urgency and priority attached to the goal of nuclear disarmament.

40. Several proposals were submitted to the Committee. One proposal concerned urgent steps for the practical implementation of negotiations on ending the production of all types of nuclear weapons and gradually reducing their stockpiles until they have been completely destroyed (CD/4 and CD/109). Other proposals related to cessation of production of fissionable material for weapons purposes (CD/90) and prohibition of further flight testing of strategic delivery vehicles.

41. A proposal was made that preparatory consultations be held to identify the prerequisites and main problems for negotiations, and to establish an ad hoc working group with a clearly defined mandate. Another suggestion was to have informal meetings and consultations in order to seek out elements for negotiations; some substantive issues were enumerated in that context and a proposal was put forward for an ad hoc working group for the conduct of negotiations.

*/ Bulgaria, Czechoslovakia, German Democratic Republic, Hungary, Mongolia, Poland, Union of Soviet Socialist Republics.

42. The Group of 21 proposed the establishment of an ad hoc working group of the Committee and suggested certain concrete issues for negotiations on nuclear disarmament within the Committee; including the elaboration of the stages of nuclear disarmament envisaged in paragraph 50 of the Final Document, issues involved in the prohibition of the use or threat of use of nuclear weapons and prevention of nuclear war, issues involved in eliminating reliance on doctrines of nuclear deterrence and measures to ensure the discharge of the Committee's responsibility as a multilateral negotiating body in this context (CD/116).

43. The Committee did not have an opportunity to attempt to reconcile the different points of view as regards the approach, machinery and basis for multilateral negotiations on nuclear disarmament. In this context, various delegations emphasized inter alia that an appropriate degree of trust and confidence among States, especially nuclear-weapon States, would facilitate negotiations; that negotiations would, in turn, greatly contribute to the relaxation of international tensions; that the participation of non-nuclear-weapon States was essential in such negotiations since nuclear disarmament is of concern to all States; that the ratification of SALT II, the opening of SALT III negotiations as well as early negotiations on the nuclear weapons situation in Europe were of paramount importance and urgency. It was emphasized that the Committee on Disarmament provided the most appropriate forum for multilateral negotiations relating to nuclear disarmament. On the other hand it was also emphasized that, without prejudice to the responsibilities of the Committee on Disarmament, all problems of a bilateral and regional character, were first of all within the competence of the States directly concerned.

44. The Committee on Disarmament agreed to resume intensive consideration at its next session of the item on the cessation of the nuclear arms race and nuclear disarmament taking into account the proposals and views presented during the 1980 session of the Committee.

C. Effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons

45. The item on the agenda entitled "Effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons" was considered by the Committee, in accordance with its programme of work, during the following periods: 19-29 February and 11-12 March.

46. The following documents were submitted to the Committee during its session in connexion with the item:

(a) Document CD/75, dated 14 March 1980, submitted by Finland and entitled "Letter dated 12 March 1980 addressed to the Chairman of the Committee on Disarmament from the Permanent Representative of Finland to the United Nations Office at Geneva submitting a working document containing the views of the Finnish Government".

(b) Document CD/120, dated 17 July 1980, submitted by the delegation of Pakistan and containing a working paper on a possible draft resolution for adoption by the United Nations Security Council as an interim measure.

47. At its 69th plenary meeting on 17 March 1980, the Committee decided to establish, for the duration of its 1980 session, an Ad Hoc Working Group of the Committee to continue to negotiate with a view to reaching agreement on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons. The Committee further decided that the Ad Hoc Working Group would report to the Committee on the progress of its work at any appropriate time and in any case before the conclusion of its 1980 session (document CD/77).

48. At its 80th plenary meeting on 22 April 1980, the Committee also decided to nominate the representative of Egypt as Chairman of the Ad Hoc Working Group. The Ad Hoc Working Group held nine meetings between 25 April and 28 July and the Chairman conducted also informal consultations during that period. As a result of its deliberations, the Ad Hoc Working Group submitted a report to the Committee (document CD/125*).

49. At its 100th plenary meeting on 9 August 1980, the Committee adopted the report of the Ad Hoc Working Group, which is an integral part of this report and reads as follows:

"I. Introduction

1. In the course of consideration of item 3 of its 1980 agenda, entitled 'Effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons', the Committee on Disarmament, at its 69th meeting, held on 17 March 1980, adopted the following decision contained in document CD/77:

'The Committee on Disarmament decides to establish, for the duration of its 1980 session, an ad hoc working group of the Committee to continue to negotiate with a view to reaching agreement on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons.

The ad hoc working group will report to the Committee on the progress of its work at any appropriate time and in any case before the conclusion of its 1980 session.'

At the same meeting, a statement was made by the Chairman of the Committee, contained in the same document, that:

'It is understood that, in accordance with rule 32 of the Rules of Procedure, representatives of non-member States shall have reserved seats in the conference room during the meetings of the ad hoc working group.'

II. Organization of work and documentation

2. At its 80th meeting, on 22 April, the Committee on Disarmament decided to appoint Dr. Mohamed El-Baradei, representative of Egypt, as Chairman of the Ad Hoc Working Group. Dr. Lin Kuo-Chung, United Nations Centre for Disarmament, was appointed as Secretary of the Ad Hoc Working Group.

3. The Working Group held nine meetings between 25 April and 28 July and also conducted informal consultations during that period.

4. In carrying out its mandate, the Ad Hoc Working Group took into account paragraph 59 of the Final Document of the Tenth Special Session of the General Assembly, devoted to disarmament, in which '... the nuclear-weapon States are called upon to take steps to assure the non-nuclear-weapon States against the use or threat of use of nuclear weapons. The General Assembly notes the declarations made by the nuclear-weapon States and urges them to pursue efforts to conclude, as appropriate, effective arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons.

5. The Ad Hoc Working Group also took note of the letter of the Secretary-General contained in document CD/55, transmitting resolutions adopted by the General Assembly at its thirty-fourth session, and took note in particular of resolutions 34/84, 34/85 and 34/86. Paragraph 4 of resolution 34/84 reads as follows:

'4. Requests the Committee on Disarmament to continue the negotiations on this subject on a priority basis during its 1980 session with a view to their early conclusion with the elaboration of a convention to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons.

Paragraph 4 of resolution 34/85 reads as follows:

'4. Recommends that the Committee on Disarmament should conclude effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons during its 1980 session, taking into account the widespread support for the conclusion of an international convention and giving consideration to any other proposals designed to secure the same objective.

Paragraph 3 of resolution 34/86 reads as follows:

'3. Requests the Committee on Disarmament to continue its efforts at its next session with a view to reaching agreement on such arrangements and to report to the General Assembly at its thirty-fifth session.'

6. In the conduct of its work, the Ad Hoc Working Group, at its first meeting, on 25 April 1980, decided that all the documentations that were before the previous ad hoc working group established during the 1979 session be transmitted to the present Working Group. These documents were listed in document CD/SA/WP.1. 1/

7. Moreover, during the course of its deliberations, the Ad Hoc Working Group also had before it the following three working papers for its consideration:

(a) A working paper by the Chairman, entitled 'Effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons: A. Scope and nature of the arrangements' (CD/SA/WP.2); 2/

(b) A working paper by Pakistan, entitled 'Possible draft resolution for adoption by the United Nations Security Council as an interim measure on 'Effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons'' (CD/120; CD/SA/WP.3); 3/

(c) A working paper by Bulgaria, entitled 'Forms of the arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons' (CD/SA/WP.4). 4/

III. Substantive negotiations

8. The Working Group took note of the extensive discussion which took place on the elements to be considered and negotiated on during the deliberations of the previous ad hoc working group. It took note, in particular, of the statement contained in the report of the previous ad hoc working group to the effect that 'There was broad agreement that these elements can be divided into two general categories: A. Scope and nature of the arrangements, and B. Form of the arrangements, their number and binding character'.

9. The Working Group decided to focus its attention primarily on the scope and nature of the arrangements on the understanding that an agreement on the substance of the arrangements could facilitate the agreement on the form.

1/ See Annex A of this report.

2/ See Annex B of this report.

3/ See Annex C of this report.

4/ See Annex D of this report.

10. In accordance with the decision mentioned above in paragraph 9, a working paper (CD/SA/WP.2) was submitted by the Chairman as a basis for negotiation. It contained the different formulas which appeared in the declarations of the nuclear-weapon States and in the proposals and ideas presented to or expressed by other States, and which had a direct bearing on the scope and nature of the arrangements.

11. Inconclusive examination was given to the different formulas which appeared in document CD/SA/WP.2 with a view to exploring ways and means of reaching agreement on a common formula acceptable to all which could serve as a basis for the conclusion of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons. The in-depth analysis of these formulas considered in juxtaposition did help the Working Group to clarify and amplify the various positions and was able to detect areas of agreement and divergence.

12. There was agreement during the negotiations that the object of the arrangements should be to effectively assure non-nuclear-weapon States against the use or threat of use of nuclear weapons. However, there were divergent views as to the scope of application. With regard to the scope of application two main questions were identified: (1) the criteria for the extension of the arrangements, (2) the exceptions associated with the right of self-defence.

13. Regarding the first question, the discussion revealed that different positions were maintained, namely:

- pending nuclear disarmament, a complete prohibition on the use of nuclear weapons;
- the extension of arrangements, pending a complete prohibition on the use of nuclear weapons, to all non-nuclear-weapon States without any condition or limitations;
- the extension of arrangements to all non-nuclear-weapon States which were not parties to the nuclear security arrangements of some nuclear Powers;
- the extension of arrangements to States which renounce the production and acquisition of nuclear weapons and which have no nuclear weapons on their territories or under their jurisdiction or control;
- the extension of arrangements to non-nuclear-weapon States parties to the non-proliferation Treaty or any other comparable internationally binding commitment not to acquire nuclear explosive devices (such as the Treaty for the Prohibition of Nuclear Weapons in Latin America - Treaty of Tlatelolco);
- the extension of arrangements to non-nuclear-weapon States parties to a nuclear-weapon-free zone.

14. As to the second question, divergent views were expressed in accordance with the declarations, proposals and other elements contained in Annex B of the Report.

15. The Working Group, subsequently, turned its attention to the question of the form of the arrangements. In this regard, a working paper was submitted by the delegation of Bulgaria entitled 'Forms of the arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons' (CD/SA/WP.4). There was recognition that search should continue for a common approach acceptable to all which could be included in an international instrument of a legally binding character. In that connexion, notwithstanding the fact that there was once again no objection, in principle, to the idea of an international convention the difficulties involved were also pointed out. In this regard, no agreement was reached.

16. The Working Group further considered the question of interim arrangements. In this regard, a working paper was submitted by the delegation of Pakistan entitled 'Possible draft resolution for adoption by the United Nations Security Council as an interim measure on 'Effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons'' (CD/SA/WP.3). During the discussion it was broadly suggested that a Security Council resolution might serve as a useful interim measure towards the effective international arrangements and pending agreement on the common approach mentioned in paragraph 15. It was also suggested that the value of such resolution would depend on its substance. On the latter question, different views were expressed.

IV. Conclusion and recommendations

17. There was continuing recognition of the urgent need to reach agreement on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons. Negotiations on the substance of the arrangements further revealed the complex nature of the issues involved. Disappointment was expressed at the failure to make progress towards a common approach. Against this background, the question of interim arrangements was considered. The Working Group noted with interest the suggestion that upon the recommendation of the General Assembly, the Security Council might consider the question of concrete measures to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons. It was, however, suggested that any interim arrangement should not be a substitute for the indispensable renewed efforts to reach agreement on a common approach acceptable to all which could be included in an international instrument of a legally binding character.

18. Accordingly, the Working Group recommends to the Committee on Disarmament to explore ways and means to overcome the difficulties encountered in the negotiations of the Working Group and to continue to negotiate at the beginning of its 1981 session with a view to reaching agreement on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons."

"ANNEX A

List of Documents on the Question of Effective
International Arrangements to Assure Non-Nuclear Weapon States
Against the Use or Threat of Use of Nuclear Weapons

I. Official documents of the Committee on Disarmament

- (1) CD/1 - containing General Assembly resolutions 33/72A and B. (24 January 1979)
- (2) CD/10 - submitted by Pakistan, entitled 'Conclusion of an International Convention to Assure Non-Nuclear Weapon States against the Use or Threat of Use of Nuclear Weapons'. (27 March 1979)
- (3) CD/23 - submitted by Bulgaria, Czechoslovakia, German Democratic Republic, Hungary, Mongolia, Poland, Union of Soviet Socialist Republics, entitled 'Draft international convention on the strengthening of guarantees of the security of non-nuclear States'. (21 June 1979)
- (4) CD/25 - submitted by Pakistan, entitled 'Effective International Arrangements to Assure Non-Nuclear-Weapon States against the Use or Threat of Use of Nuclear Weapons'. (26 June 1979)
- (5) CD/27 - submitted by United States of America, entitled 'Proposal for a CD Recommendation to the United Nations General Assembly Concerning the Security of Non-Nuclear-Weapon States against Nuclear Attack'. (2 July 1979)
- (6) CD/53 - containing Report of the 'Ad Hoc Working Group to consider and negotiate on, effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons' to the Committee on Disarmament. (14 August 1979)
(Appendix II)
- (7) CD/55 - containing General Assembly resolutions 34/84, 34/85 and 34/86. (5 February 1980)
- (8) CD/77 - containing a decision of the Committee on Disarmament to establish an ad hoc working group to continue to negotiate with a view to reaching agreement on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons. (17 March 1980)

II. A compilation of material for the use of members of the ad hoc working group established by the Committee on Disarmament on 5 July 1979 to consider and negotiate on effective international arrangements to assure non-nuclear weapon States against the use or threat of use of nuclear weapons

- (1) Statements made at the plenary and ad hoc committee meetings of the tenth special session of the General Assembly devoted to disarmament;

- (2) Statements made at the plenary and the First Committee of the thirty-third session of the General Assembly
 - (a) Plenary
 - (b) First Committee (General)
 - (c) First Committee (Soviet Draft Convention);
 - (3) Declarations made by the five nuclear weapon States containing assurances not to use nuclear weapons against non-nuclear weapon States;
 - (4) Security Council resolution 255 (1968);
 - (5) General Assembly resolutions on the non-use of nuclear weapons;
 - (6) Resolution on security assurances adopted by the Non-nuclear Weapon States Conference of 1968;
 - (7) Part of the 1975 NPT Review Conference Final Document, relevant to security assurances;
 - (8) Final Document of the tenth special session of the General Assembly devoted to disarmament, paragraphs 56-59 on security assurances;
 - (9) Addendum and supplement to the Compilation.
- III. A compilation of statements made on the question of effective international arrangements to assure non-nuclear weapon States against the use or threat of use of nuclear weapons during the thirty-fourth session of the General Assembly
- IV. Unofficial transcriptions of the proceedings of the ad hoc working groups on security assurances
- (i) Unofficial transcriptions of seven meetings of the ad hoc working group during 1979."

"ANNEX B

Effective international arrangements to assure non-nuclear weapon States against the use or threat of use of nuclear weapons

A. Scope and nature of the arrangements

I. Elements contained in the declarations made by the nuclear-weapon States

- (1) China: 'Complete prohibition and total destruction of nuclear weapons are essential for the elimination of nuclear war and nuclear threats. We are aware that its realization is no easy matter. This being the case, we hold that the nuclear-weapon States should at least undertake not to use or threaten to use nuclear weapons against the non-nuclear-weapon States and nuclear-free-zones. On its own initiative and unilaterally, China long ago declared that at no time and in no circumstances would it be the first to use nuclear weapons.' 1/

- (2) France: To negotiate with nuclear-free zones participants in order to contract effective and binding commitments, as appropriate, precluding any use or threat of use of nuclear weapons against the States of these zones.
- (3) USSR: To offer a binding commitment in a new international convention not to use or threaten to use nuclear weapons against non-nuclear States parties to such a convention which renounce the production and acquisition of nuclear weapons and which have no nuclear weapons in their territory or under their jurisdiction or control, and to consult whenever any party to the convention has reason to believe that the actions of any other party are in violation of this commitment. 2/

'The Soviet Union, for its part, wishes to state as emphatically as it can that we are against the use of nuclear weapons, that only extraordinary circumstances, only aggression against our country or its allies by another nuclear Power, could compel us to have recourse to that extreme means of self-defence. The Soviet Union is doing and will do all in its power to prevent the outbreak of a nuclear war and to protect the peoples from becoming the victims of nuclear strikes, whether initial or retaliatory. This is our steadfast policy, and we shall act in accordance with it.' 3/

'I wish also solemnly to declare that the Soviet Union will never use nuclear weapons against those States which renounce the production and acquisition of such weapons and do not have them on their territory.' 4/

- (4) United Kingdom: Not to use nuclear weapons against States which are parties to the Non-Proliferation Treaty or other internationally binding commitments not to manufacture or acquire nuclear explosive devices except in the case of an attack on the United Kingdom, its dependent territories, its armed forces or its allies by such State in association or alliance with a nuclear-weapon State. 5/
- (5) United States of America: Not to use nuclear weapons against any non-nuclear-weapon State party to the Non-Proliferation Treaty or any comparable internationally binding commitment not to acquire nuclear explosive devices, except in the case of an attack on the United States, its territories or armed forces or its allies by such a State allied to a nuclear-weapon State or associated with a nuclear-weapon State in carrying out or sustaining the attack. 6/

II. Elements contained in the proposals submitted to the previous Ad Hoc Working Group established during the 1979 session by:

- (1) Pakistan: 7/

'Article I

The nuclear-weapon States Parties to this Convention, as a first step towards the complete ban on the use or threat of use of nuclear weapons,

pledge themselves not to use or threaten to use nuclear weapons against non-nuclear-weapon States not parties to the nuclear security arrangements of some nuclear-weapon States.

This undertaking is without prejudice to the obligations of States Parties to this Convention arising from treaties establishing nuclear-weapon-free zones.

Article II

The nuclear-weapon States Parties to this Convention also undertake to avoid the possibility of the use or threat of use of nuclear weapons in any contingency and to achieve nuclear disarmament, resulting in the complete elimination of nuclear weapons, in the shortest possible time.'

- (2) Bulgaria, Czechoslovakia, German Democratic Republic, Hungary, Mongolia, Poland, Union of Soviet Socialist Republics: 8/

'Article I

The nuclear-weapon States Parties to this Convention ~~pledge themselves~~ not to use or threaten to use nuclear weapons against non-nuclear States Parties to this Convention which renounce the production and acquisition of nuclear weapons and which have no nuclear weapons in their territory or anywhere under their jurisdiction or control, on land, on the sea, in the air or in outer space.

Article II

The obligation set forth in article I of this Convention shall extend not only to the territory of non-nuclear States Parties, but also to the armed forces and installations under the jurisdiction and control of such States wherever they may be, on land, on the sea, in the air or in outer space.'

- (3) United States of America: 9/

'The General Assembly,

.....

1. Welcomes the declaration of the nuclear-weapon States providing assurances to non-nuclear-weapon States with respect to the use of nuclear weapons;

2. Takes note of the following undertakings by each of the five nuclear powers;

.....

3. Recognizes these solemn declarations as important contributions to strengthening international peace and security.

III. Other elements expressed at the previous Ad Hoc Working Group established during the 1979 session 10/

- (1) 'Extension of arrangements to all non-nuclear-weapon States without any condition of limitations.
- (2) 'Pending nuclear disarmament, a general ban on the use or the threat of use of nuclear weapons and the non-use of force in international relations would be the most effective guarantee for the security of non-nuclear-weapon States.'

Footnotes

1/ See CD/PV.53, p.25.

2/ See Effective International Arrangements to Assure Non-Nuclear Weapon States Against the Use or Threat of Use of Nuclear Weapons: A Compilation of Material, Part III; also see CD/27, pp.3-4.

3/ Speech by President Brezhnev of the Soviet Union at the XVIII Congress of KOMSOMOL on 25 April 1978.

4/ Speech by President Brezhnev in Berlin on the occasion of the 30th anniversary of the German Democratic Republic, 6 October 1979.

5/ See footnote 2/ above.

6/ Ibid.

7/ See CD/10, pp. 1-2.

8/ See CD/23, pp. 1-2.

9/ See CD/27, pp. 3-4.

10/ See Report of the Committee on Disarmament, Official Records of the General Assembly; Thirty-Fourth Session, Supplement No. 27 (A/34/27), p.28, paragraph 10.

"ANNEX C

PAKISTAN: WORKING PAPER

Possible draft resolution for adoption by United Nations Security Council as an interim measure on 'Effective international arrangements to assure non-nuclear weapon States against the use or threat of use of nuclear weapons'

The Security Council,

Bearing in mind the need to allay the legitimate concern of the States of the world with regard to ensuring lasting security for their peoples,

Convinced that nuclear weapons pose the greatest threat to mankind and the survival of civilization,

Deeply concerned at the continuation of the arms race, in particular the nuclear arms race, and the possibility of the use or threat of use of nuclear weapons,

Convinced that nuclear disarmament and the complete elimination of nuclear weapons are essential to remove the danger of nuclear war,

Recognizing that the independence, territorial integrity and sovereignty of non-nuclear weapon States need to be safeguarded against the use or threat of use of nuclear weapons,

Considering that, until nuclear disarmament is achieved on a universal basis, it is imperative for the international community to develop effective measures to ensure the security of non-nuclear weapon States against the use or threat of use of nuclear weapons from any quarter,

Bearing in mind paragraph 59 of the Final Document of the Tenth Special Session of the United Nations General Assembly, in which it requested the nuclear weapons States urgently to conclude, as appropriate, effective arrangements to assure non-nuclear weapon States against the use or threat of use of nuclear weapons,

Welcoming the negotiations underway in the Committee on Disarmament on the item entitled 'effective international arrangements to assure non-nuclear weapon States against the use or threat of use of nuclear weapons',

Noting the report of the Committee on Disarmament,

Further noting the general support expressed in the Committee on Disarmament and in the United Nations General Assembly for the elaboration of an international convention to assure non-nuclear weapon States against the use or threat of use of nuclear weapons,

Acting under the provisions of Chapter VII of the Charter in response to the threat to peace posed by the possibility of the use or threat of use of nuclear weapons:

1. Calls upon those States possessing nuclear weapons to undertake not to use or threaten to use nuclear weapons against non-nuclear weapon States under any circumstances;
2. Urges the Committee on Disarmament to pursue negotiations for this purpose and conclude, without delay, a binding international instrument to assure non-nuclear weapon States against the use or threat of use of nuclear weapons;
3. Decides to remain seized of this matter."

"ANNEX D

DELEGATION OF BULGARIA

WORKING PAPER

Forms of the arrangements to assure non-nuclear
weapon States against the use or threat of use
of nuclear weapons

I. Unilateral non-use declarations

1. Several individual declarations on non-use of nuclear weapons have been made by nuclear weapon States in connexion with the Special Session of the General Assembly devoted to disarmament. Some of these undertakings are regarded as negative security guarantees already in force, which is deemed as a contribution to further strengthening of the security of the non-nuclear weapon States.

One of these declarations provides for security guarantees for those non-nuclear weapon States that do actually have clear non-nuclear status in all its aspects. Other pledges contain certain conditions envisaging possible non-use exemptions, which language seems to be too open to subjective interpretations. There is not much clarity in respect to the character and scope of application of the declaration made by one of the nuclear weapon States. The statement of another nuclear weapon State spells out only a readiness of that State to negotiate on non-use commitments in regard to the participants of nuclear-weapon-free zones.

The individual non-use declarations do not, of course, impose obligations, in terms of their legal validity, which the nuclear States would be assuming by entering into multilateral or bilateral agreements. Even if they are regarded binding, and not only statements of current governmental policy, those assurances are however, in the present form, quite divergent in their nature and qualifications. To qualify now for all non-use undertakings of nuclear

Powers a non-nuclear State must meet a set of not uniform requirements, some of which are quite remote from ensuring clear non-nuclear status of that State and its territory. We have, therefore, at present, a system of individual negative security guarantees, which is considered not to possess the maximum credibility and effectiveness, that could be actually achieved.

In paragraph 59 of the Final Document, the General Assembly took note of the declarations made by the nuclear States and urged them to pursue efforts to conclude, as appropriate, effective arrangements to assure non-nuclear weapon States against the use or threat of use of nuclear weapons.

2. Identical non-use declarations made by each nuclear State could also be considered as a possible form of negative security guarantees, provided that the existing unilateral undertakings might be successfully reconciled into a common non-use formula.

II. International convention with uniform non-use formula

If the negative security guarantees are to be extended in the most effective and credible form, an international convention containing a uniform non-use formula has to be elaborated. Invested in a convention, which is to be ratified by all nuclear States, the common non-use undertaking would have a binding legal force. The qualifications and possible conditions stipulated in it would then be common for the guarantees of all nuclear States, thus making it easier for the non-nuclear States to qualify for them simultaneously. As parties to a convention the nuclear States would assume commitments not only towards non-nuclear weapon States, but among themselves as well, additionally enhancing in this way their mutual confidence. Not a single nuclear State would thus be at a disadvantage since it would enter equally into legally binding obligations. In the form of an international convention the arrangements to assure non-nuclear weapon States against the use or threat of use of nuclear weapons would provide for greater precision as to the rights and obligations of both nuclear and non-nuclear weapon States. The latter would be in a position to participate equally in the process of elaboration of the provisions of the convention, thus contributing to the effectiveness and credibility of the guarantees to be agreed upon. The non-nuclear States that are to be assured should also be parties to the convention. This is a minimal requirement which is in keeping with the customary international law practice, according to which rights and obligations provided for in a treaty could be imposed only to the parties of that treaty. Such a State would not have to do anything but strictly observe its clear non-nuclear status in all its aspects.

A provision should be also made in the convention as to the right of its parties, and in particular, the right of the non-nuclear States to secede from the agreement. Should a State party decide that exceptional circumstances relating to the content of the convention, have placed its highest security interests in jeopardy, it should be able to secede from it. The provision for an easy procedure of secession would once again demonstrate that having the privilege to be guaranteed is a totally voluntary act.

The fact that, as it is stated in the 1979 report of the Committee on Disarmament to the General Assembly, there is no objection, in principle, to the idea of an international convention, is indicative that the search for a common approach aimed at the elaboration of an international instrument of legally binding character with a uniform non-use formula should continue and be further encouraged.

III. Security Council resolution

1. A Security Council resolution containing one uniform non-use formula or identical declarations to be made by each nuclear State is also a possible form of enhancing the binding character of the existing negative assurances. To provide for an additional credibility and effectiveness such a resolution could explicitly state that the declarations are of binding legal character for the nuclear States. The difficulties to arrive at an agreement on a uniform non-use formula or identical declarations, however, remain here the same as in the case of a convention.
2. A Security Council resolution containing or referring to the non-use declarations already made would fail to remedy the shortcomings of the present system of negative guarantees due to their divergent nature, qualifications and conditions. Such a resolution could serve, however, as an interim arrangement that would enhance the binding force of the existing non-use assurances until more effective international arrangements are concluded, in accordance with paragraph 59 of the Final Document. It might to a greater extent promote the achievement of this purpose if the Security Council spells out the willingness of each nuclear State to take action to contribute to the elaboration of, and to conclude, more effective international arrangements, preferably a convention, to assure non-nuclear weapon States against the use or threat of use of nuclear weapons. It must be clear, however, that such an interim step would not remove the need of an international arrangement of a conventional type.
3. A Security Council resolution taking note only of the individual non-use declarations made so far would be of a marginal use since the General Assembly has already done so through its Final Document.

* * *

The delegation of Bulgaria strongly supports the idea of an international convention with the participation, on one hand, of nuclear States that are prepared to extend uniform non-use guarantees, and on the other hand, interested non-nuclear weapon States which renounce the production and acquisition of nuclear weapons and do not have such weapons in their territories. In order to contribute to this effect, Bulgaria has sponsored, together with a group of socialist countries, a draft convention contained in document CD/23. At the same time, we are also prepared to consider other parallel proposals, including possible interim arrangements, with a view to working out an approach acceptable to all."

D. Chemical weapons

50. The item on the agenda entitled "Chemical weapons" was considered by the Committee, in accordance with its programme of work, during the following periods: 19-29 February, 3-7 March and 13-14 March.

51. In addition to earlier documents the following were before the Committee in connexion with the item:

- (a) Document CD/59, dated 12 February 1980, submitted by the delegation of Australia and entitled "Chemical weapons: Proposal for Informal Meetings with Experts".
- (b) Document CD/68, dated 28 February 1980, submitted by the delegation of Poland and entitled "Chemical weapons - a possible procedural approach to the tasks facing the Committee on Disarmament: working paper".
- (c) Document CD/82, dated 20 March 1980, entitled "Letter dated 18 March 1980 from the Chargé d'Affaires ad interim of the Permanent Mission of the Socialist Republic of Viet Nam transmitting a document entitled 'Memorandum on the use of chemicals by the United States of America in Viet Nam, Laos and Kampuchea'."
- (d) Document CD/84, dated 26 March 1980, submitted by the delegation of the Netherlands, containing a working document entitled "Draft Initial Work Programme of the Ad Hoc Working Group on Chemical Weapons".
- (e) Document CD/85, dated 27 March 1980, entitled "Letter dated 26 March 1980 from the Permanent Representative of the Permanent Mission of Democratic Kampuchea transmitting two documents entitled 'Statement of 5 February 1980 by the Ministry of Foreign Affairs of Democratic Kampuchea on the intensification by Hanoi of the use of chemical weapons and other activities to exterminate the Kampuchean People' and 'The use of chemical weapons by the Vietnamese aggressors in Kampuchea; Report issued by the Ministry of Information of Democratic Kampuchea on 25 February 1980'."
- (f) Document CD/89, dated 14 April 1980, and entitled "Telegram dated 13 April 1980 from the Deputy Minister for Foreign Affairs of the Democratic Republic of Afghanistan transmitting a 'Declaration of the Government of the Democratic Republic of Afghanistan issued on 11 April 1980'."
- (g) Document CD/94, dated 18 April 1980 submitted by the delegation of Belgium and entitled "Proposed definition of a chemical warfare agent and chemical munitions".
- (h) Document CD/96, dated 22 April 1980, submitted by the delegation of Poland and entitled "Ad Hoc working group on CW - Initial Work Programme: Working Document".
- (i) Document CD/97, dated 24 April 1980, submitted by the delegation of Sweden and entitled "Working Paper on the Prohibition of Chemical Warfare Capability".

- (j) Document CD/102, dated 19 June 1980, entitled "Letter dated 19 June 1980 from the Acting Head of the Chinese delegation, transmitting a working paper on the 'Chinese Delegation's proposals on the main contents of a convention on the prohibition of chemical weapons'."
- (k) Document CD/103, dated 24 June 1980, entitled "Letter dated 24 June 1980 from the Permanent Representative of Finland transmitting a document entitled 'Identification of degradation products of potential organophosphorus warfare agents'."
- (l) Document CD/105, dated 27 June 1980, entitled "Elements of a reply by the French delegation to the questionnaire relating to chemical weapons submitted by the Netherlands to the Committee on Disarmament (CD/41)".
- (m) Document CD/106, dated 27 June 1980, submitted by the delegation of France, containing a working paper entitled "Control of the non-manufacture and non-possession of agents and weapons of chemical warfare".
- (n) Document CD/110, dated 2 July 1980, submitted by the delegation of Yugoslavia and entitled "Working Paper on Medical Protection Against Nerve Gas Poisoning (Present Situation and Future Possibilities)".
- (o) Document CD/111, dated 2 July 1980, submitted by the delegation of Yugoslavia and entitled "Working Paper on the Definition of Chemical Warfare Agents (CWA)".
- (p) Document CD/112, dated 7 July 1980, submitted by the delegations of the Union of Soviet Socialist Republics and the United States of America, transmitting a document entitled "USSR-United States Joint Report on the Progress in the Bilateral Negotiations on the Prohibition of Chemical Weapons".
- (q) Document CD/113, dated 8 July 1980, submitted by the delegation of Canada and entitled "Organization and Control of Verification Within a Chemical Weapons Convention".
- (r) Document CD/114, dated 9 July 1980, entitled "Reply at this stage submitted by the Australian Delegation to the questionnaire relating to chemical weapons submitted by the Netherlands to the Committee on Disarmament in document CD/41".
- (s) Document CD/117, dated 10 July 1980, submitted by the delegation of Canada and entitled "Definitions and Scope in a Chemical Weapons Convention".
- (t) Document CD/121, dated 17 July 1980, submitted by the delegation of Poland and entitled "Some of the issues to be dealt with in the negotiation on a CW convention: working paper".
- (u) Document CD/122, dated 21 July 1980, submitted by the delegation of Morocco and entitled "Proposed definition of chemical weapons".

- (v) Document CD/123, dated 21 July 1980, submitted by the delegation of Mongolia, containing a working document entitled "Interrelationship between the future convention on the complete prohibition and destruction of chemical weapons and the Geneva Protocol of 1925".
- (w) Document CD/124, dated 24 July 1980, submitted by the Delegation of Indonesia and entitled "Some views on the prohibition of chemical weapons".
- (x) Document CD/132, dated 1 August 1980, containing a working paper entitled "Views of the Government of Pakistan submitted in response to the circulation of Document CD/89".

52. In discharging its responsibility for the negotiation and elaboration, as a matter of high priority, of a multilateral convention on the complete and effective prohibition of the development, production and stockpiling of chemical weapons and on their destruction, the Committee on Disarmament decided at its 69th plenary meeting on 17 March 1980 to establish for the duration of its 1980 session, an Ad Hoc Working Group of the Committee to define, through substantive examination, issues to be dealt with in the negotiation on such a convention, taking into account all existing proposals and future initiatives. The Committee further decided that the Ad Hoc Working Group would report to the Committee on the progress of its work at any appropriate time and in any case before the conclusion of its 1980 session (Document CD/80).

53. At its 80th plenary meeting on 22 April 1980 the Committee also decided to nominate the representative of Japan as Chairman of the Ad Hoc Working Group. The Ad Hoc Working Group held 16 meetings between 23 April and 1 August 1980 and the Chairman also conducted informal consultations during that period. As a result of its deliberations the Ad Hoc Working Group submitted a report to the Committee (Document CD/131/Rev.1).

54. As proposed in Document CD/59 and in accordance with the decision taken at its 82nd plenary meeting, the Committee held four informal meetings with experts on chemical weapons during the period 24 to 26 June 1980.

55. Both prior and subsequent to the establishment of the Ad Hoc Working Group on Chemical Weapons, the Committee had, in plenary and informal meetings, useful discussions of issues relating to the prohibition of such weapons. Presentations by experts during the informal meetings referred to in the preceding paragraph were welcomed as useful and provided further insights into the issues involved. The Joint Report on the progress in USA-USSR bilateral negotiations (CD/112) was commented upon, and further clarifications on certain points were provided by the two negotiating parties. The need to ensure strict respect for the 1925 Geneva Protocol was stressed, especially in view of controversial allegations of the use of chemical weapons. In this connection, the need for appropriate international measures to determine the facts was emphasized. However, varying views were expressed concerning what type of measures would be appropriate.

56. At its 100th plenary meeting on 9 August 1980, the Committee adopted the report of the Ad Hoc Working Group, which is an integral part of this report and reads as follows:

1. In the course of consideration of item 4 of its 1980 agenda, entitled 'Chemical Weapons', the Committee at its sixty-ninth plenary meeting on 17 March 1980, adopted the following decision contained in Document CD/80:

In discharging its responsibility for the negotiation and elaboration as a matter of high priority, of a multilateral convention on the complete and effective prohibition of the development, production and stockpiling of chemical weapons and on their destruction, the Committee on Disarmament decides to establish, for the duration of its 1980 session, an ad hoc working group of the Committee to define, through substantive examination, issues to be dealt with in the negotiation on such a convention, taking into account all existing proposals and future initiatives.

The ad hoc working group will report to the Committee on the progress of its work at any appropriate time and in any case before the conclusion of its 1980 session.

2. At the 80th meeting on 22 April 1980 the Committee elected Ambassador Y. Okawa, Japan, as Chairman of the ad hoc Working Group. Mrs. L. Waldheim-Natural, Chief, Geneva Unit, United Nations Centre for Disarmament, was appointed Secretary of the Working Group.

3. At their request and on the basis of decisions taken by the Committee on Disarmament at its eighty-sixth and ninety-first sessions, contained respectively in Documents CD/PV.86 and CD/PV.91, representatives of Denmark, Finland and Switzerland attended meetings of the Group in addition to members of the Committee on Disarmament.

4. The Group held 16 meetings between 23 April 1980 and 1 August 1980.

5. In carrying out its mandate the ad hoc Working Group took into account paragraph 75 of the Final Document of the first special session of the General Assembly of the United Nations devoted to disarmament, which stated that the conclusion of a convention on chemical weapons was one of the most urgent tasks of multilateral negotiations.

6. In the conduct of its work, the following working papers were circulated to the Working Group:

- (a) a 'Working paper introduced by the Chairman' (CD/CW/WP.1);
- (b) a working paper entitled 'List of Documents' (CD/CW/WP.2 and its addenda 1 and 2) containing a list of Committee on Disarmament documents relevant to the work of the ad hoc Working Group on Chemical Weapons, circulated between July 1979 and July 1980;
- (c) a working paper by the United States of America entitled 'Issues to be defined by the Ad Hoc Chemical Weapons Working Group' (CD/CW/WP.3);
- (d) a working paper by Sweden entitled 'Issues to be dealt with in the negotiation on a Convention on Chemical Weapons' (CD/CW/WP.4);

- (e) a working paper by the Federal Republic of Germany entitled 'The impact of on-site inspections of current civilian production on the chemical industry' (CD/CW/WP.5);
- (f) a working paper submitted by France entitled 'Criteria for the Definition of Chemical Warfare Agents' (CD/CW/WP.6)

7. The Chairman stated that all existing proposals and all future initiatives would be treated on an equal basis by the Working Group. He was of the view that Document CD/26, 'Compilation of material on Chemical Weapons from the Conference of the Committee on Disarmament and the Committee on Disarmament Working Papers and Statements 1972-1979 (Prepared by the Secretariat)' was a useful reference for the group in its work.

8. At the suggestion of the Chairman, the Group agreed to structure its work under three general headings: 'Scope', 'Verification' and 'Other matters'. In a first round, one meeting was devoted to each of these headings, followed by a second round in the same order. During the course of these meetings, delegations made statements of substance on the issues under consideration.

9. The Chairman also provided the group with Conference Room Papers which contained lists of issues raised under the three general headings under which the Group conducted its substantive deliberations. These Conference Room Papers were later consolidated into one document, CD/CW/CRP.3/Rev.1, which is annexed to this report as an aide-mémoire from the Chairman, for future reference.

10. In order to define the issues to be dealt with in the negotiation on a convention on the prohibition of chemical weapons, the Working Group undertook a substantive examination under the three general headings mentioned in paragraph 8 above. In this context, there appeared to be a general convergence of views among the delegations who participated in the discussions on the following issues:

A. Comprehensive scope of a prohibition

- (1) Issues relating to activities that could be prohibited under a convention:

- (a) development
- (b) production
- (c) stockpiling
- (d) acquisition
- (e) retention
- (f) transfer and assistance to other States

- (2) Issues relating to specific items, subject to agreed definitions, that could be prohibited under a convention:

- (a) chemical warfare agents
- (b) chemical munitions

- (c) precursors
 - (d) chemical weapons, equipment or systems
 - (e) means of/facilities for the production of the above
- (3) Issues relating to the criteria that could be used as the basis in determining the scope of the prohibition:
- (a) general purpose criterion
 - (b) toxicity criteria
 - (c) additional criteria
- (4) Issues relating to actions that States Parties to a convention could be required to take in implementation of the prohibition:
- (a) declaration and destruction, within specific periods, of existing stocks of chemical weapons
 - (b) declaration and destruction or dismantling, within specific periods, of means of/facilities for production
- (5) Issues concerning the exceptions that could be allowed under a convention:
- (a) for civilian purposes, such as:
 - medical
 - scientific and research
 - industrial
 - agricultural
 - riot control
 - (b) for certain non-hostile military purposes and for military purposes not related to the use of chemical weapons

B. Verification

The importance of adequate verification was recognized. It was held that verification measures should be commensurate with the scope of the prohibition and other aspects of a convention.

- (1) Issues relating to national verification measures that could be provided for under a convention:
- (a) internal legislation

(2) Issues relating to international verification measures that could be provided for under a convention:

- (a) consultation and co-operation
- (b) establishment of a consultative body
- (c) on-site inspections under certain conditions and procedures
- (d) handling of complaints

C. Other Issues

- (1) Confidence-building measures
- (2) International Co-operation

11. In the course of substantive examination of issues to be dealt with in the negotiation on a convention under the three general headings mentioned in paragraph 8 above, there appeared to be no convergence of views among delegations who participated in the discussions on, inter alia, the following issues:

A. Comprehensive scope of the prohibition

- (1) The view was expressed that a convention 'should cover 'chemical warfare capability' and that this concept should include every activity, facility and material intended to utilize the toxic properties of chemical substances for hostile purposes in an armed conflict. In this view exceptions should, however, be allowed for peaceful purposes, including some measures of a military nature and measures for protection against chemical warfare. Others expressed serious doubts about the value of this concept but the question was not discussed in depth.
- (2) Issues relating to activities that could be prohibited under a convention:

(a) Use

It was common ground that the convention should not detract from the 1925 Geneva Protocol. Some held that the issue of use was already adequately covered by that Protocol, while others were of the view that a ban on the use of chemical weapons would be an essential element of a comprehensive convention.

(b) Planning and Organization

One view was that planning and organization were essential elements of the development of a capability for chemical warfare and should therefore be banned. Another view held that a ban on planning and organization would be practically impossible to verify and hence hard to enforce; in any event it would not be needed if other elements were successfully banned.

(c) Training

Some delegations held the view that, since it was difficult to distinguish between offensive and defensive training, all training should be prohibited; others believed that training in protective measures would contribute to deterring possible violations of a convention and, therefore, should be allowed; still others thought that protective training should be permitted at least until all stocks of chemical weapons were destroyed.

(3) Issues relating to specific items, subject to agreed definitions, that could be prohibited under a convention:

(a) Means of/facilities for production.

The issue of what specific types of means of/facilities for production would fall under the prohibition was not examined in depth.

(b) Biochemical warfare agents.

Some held that potential biochemical warfare agents that fall in the so-called grey area between biological and chemical warfare agents should be prohibited. The issue was not the subject of further examination.

(4) Issues relating to the criteria that could be used as the basis in determining the scope of the prohibition:

(a) There were differing views regarding the relative importance of the various criteria mentioned in paragraph 10.A.(3) above.

(b) With reference to toxicity criteria, although several approaches for defining toxicity were discussed-- including quantitative, qualitative, descriptive and nominative -- no attempt was made to narrow the issue to a particular approach or combination of approaches.

- (c) Varying views were expressed on whether a list of chemical agents -- either positive, negative or illustrative -- should be established.
 - (d) The question of the treatment to be accorded to single and dual purpose agents and precursors respectively was not discussed in detail.
- (5) Issues relating to action that State Parties to a convention could be required to take:
- (a) Some held that means of/facilities for production should be destroyed, dismantled or converted to peaceful uses. Others, expressing concern about the verification problem involved, were of the opinion that all means of production should be destroyed.
 - (b) Differing views were expressed on the content of the declaration of existing stocks and the declaration of plans for the destruction of such stocks, as well as on their timing, including whether these declarations should be made before, at the time or after a convention came into force.
 - (c) Differing views were also expressed on the content of the declaration of plans for the disposition of means of/facilities for production and filling facilities, as well as on their timing, including whether these declarations should be made before, at the time or after a convention came into force.
- (6) Issues concerning the exceptions that could be allowed under a convention:
- (a) There was a divergence of views on whether an exception for protection purposes should be allowed under a convention. A view was expressed that the exception of 'protective measures' may create serious problems of verification and control.
 - (b) The issue of what specific riot control agents would be excepted was not discussed.
 - (c) It was pointed out that any exception which would be allowed would have to be clearly and precisely defined.

B. Verification

(1) General approach

Opinions differed as to what would be a realistic verification system which responded adequately to the requirements of a convention, since a totally effective verification system, while desirable, appeared to be technically unattainable. Some held that an effective convention called for very stringent verification measures, while others felt that less stringent

measures could suffice and still meet the requirements of a reasonable verification system. Since the different aspects of verification were related to the scope of the prohibition and other aspects of a convention, some delegations withheld their comments on this issue for the time being.

(2) What is to be verified?

(a) Differing views were expressed on the requirements of verification in the following areas:

(i) destruction of chemical weapons' stocks

(ii) destruction or dismantling of means of/facilities for production of chemical weapons

(iii) non-production of chemicals for prohibited purposes

(iv) production of certain chemicals for non-hostile military purposes

(b) Some held that non-production of chemicals for prohibited purposes could be verified even in highly industrialized countries with reasonable means and without prejudice to the interests of the chemical industry. Others were of the view that inspection of entire chemical industries would not be practicable. In this context some held that verification of a ban on identified dual-purpose agents and their precursors, and in particular binary weapons, could pose insurmountable difficulties. Others disagreed with this view.

(c) Differing views were expressed on whether prohibition of planning, organization and training, if included in a convention, could be verified.

(3) Verification procedures

While delegations were of the view that a verification system could be based on an appropriate combination of international and national measures, there were differences as to their relative effectiveness. One view was that a verification system should rely primarily on international measures. Another view was that national measures, with certain international procedures, would provide adequate assurance of compliance.

(a) Issues relating to national verification measures

There appeared to be no convergence of views on whether national organs for verification should be envisaged, in a convention and, if so, on the role and importance of such organs. Differing views were expressed regarding whether or not standardized programmes for national organs for verification, including their organization, functions and obligations, should be provided for.

(b) Issues relating to international verification measures

- (i) While delegations believed that international verification measures should include arrangements for on-site verification, their views differed on specifics of such arrangements.
- (ii) There were differences of view as to whether or not systematic on-site inspections would be necessary to verify:
 - destruction of chemical weapons stocks;
 - destruction or dismantling of means of/facilities for production of chemical weapons as well as filling facilities;
 - production of certain chemicals for non-hostile military purposes; and
 - non-production of chemicals for prohibited purposes.
- (iii) On the issue of conversion of facilities, some delegations held that, if conversion was allowed, systematic on-site inspection of converted facilities would be required.
- (iv) According to one view, the establishment of an international verification agency, in addition to the consultative body, would be desirable in the system of international verification. Others did not share this view. Still others believed that the establishment of such an agency was a broader question that transcended the framework of a chemical weapons prohibition.
- (v) While some delegations were of the opinion that complaint procedures could involve the United Nations Security Council, others believed that the United Nations General Assembly could be a more appropriate body.

C. Other Issues

(1) Confidence-building measures

The view was expressed that international means of verification should include procedures for confidence-building measures, but the issue was not examined in detail.

(2) Negative guarantees

One view was that such guarantees should be considered in the course of the elaboration of a convention. Others held the view that the question of non-use was covered by the 1925 Geneva Protocol.

(3) Co-operation in the development of protective measures

Suggestions were made that a convention should contain specific provisions regarding co-operation and technical assistance in the field of protective measures. This question was not examined in depth.

(4) Co-operation and technical assistance

It was suggested that a convention should include provisions regarding co-operation and technical assistance in the peaceful uses of toxic chemicals as well as on the transfer, especially to developing countries, of resources released by the prohibition of chemical weapons. This question was not examined in depth.

12. At the suggestion of the Chairman, the Working Group noted that, inter alia, the following issues had not been discussed in depth during the 1980 session and would have to be taken into consideration at a later stage:

- Preamble
- Conditions for entry into force
- Signature, ratification, accession, etc.
- Depositaries (Governments or Secretary-General of the United Nations)
- Duration
- Review conferences
- Withdrawals
- Protocols and annexes
- Procedures for amendment

13. Various definitions of "chemical weapons" and other terms were suggested during the discussions. At the suggestion of the Chairman the Working Group noted that the question of definition of terms and the clarification of various concepts would need to be taken up at a later stage.

14. The discussions confirmed the general recognition of the urgent need to negotiate and elaborate a multilateral convention on the complete and effective prohibition of the development, production and stockpiling of chemical weapons and on their destruction.

15. The Working Group recommends that at the beginning of its 1981 session the Committee on Disarmament set up a further working group under an appropriate mandate to be determined at that time to continue and advance the work undertaken by the 1980 Working Group in the discharge of the Committee's responsibility for the negotiation and elaboration of such a multilateral convention."

"Annex I

Issues raised at the Meetings of the
Ad Hoc Working Group on Chemical Weapons

(Aide-Mémoire from the Chairman)

I - SCOPE

1. Aims and Purpose of a convention

- as set forth in the Final Document of the Special Session of the General Assembly
- as set forth in CD/97 (Sweden)
- as set forth in CD/43 (USSR/USA)
- as set forth in CD/44 (Poland)
- other proposals

2. Relationship with other international conventions

(a) Geneva Protocol of 1925

- (i) carry over prohibition of use into a chemical weapons convention
- (ii) need for strengthening

(b) Biological Weapons Convention of 1972

- (i) need to ensure symmetry between two conventions
- (ii) need to cover loopholes, grey areas
- (iii) ensure that all biochemical agents are covered

(c) Enmod Convention of 1977

3. Comprehensive nature of ban

(a) Activities that could be banned

- (i) development
- (ii) production
- (iii) stockpiling
- (iv) acquisition
- (v) retention
- (vi) transfer and assistance
- (vii) use
- (viii) planning
- (ix) organization
- (x) training
- (xi) dissemination of information
- (xii) others

(b) Items that could be dealt with

(i) Chemical weapons agents, including precursors

- definition
- criteria
 - general purpose
 - distinction between single purpose agents and dual purpose agents
 - toxicity:
 - quantitative approach
 - qualitative "
 - descriptive " (chemical formula)
 - nominative "
 - fitness for military use
- binary weapons

(ii) Chemical weapons munitions

- definition

(iii) Chemical weapons equipment or systems, including means of delivery

- definition

(iv) Chemical weapons facilities

- for development and research
- for production
- for training in their use
- others

(c) Actions that could be required under a convention

(i) Declaration

- of existing stocks
- of production facilities, including location
- of time programme for destruction, conversion, etc.

(ii) Conversion to peaceful purposes or mothballing

- verification disadvantages compared to destruction
- economical and social consequences

(iii) Destruction of stocks

(iv) Destruction or dismantling of production facilities

4. Protection against CW attack

- (a) Distinction between 'protective' and 'defensive' capability
- (b) Type of instrument in which protection would be provided for
 - (i) in the convention itself?
 - (ii) in an annex to the convention?
 - (iii) in a separate instrument?
- (c) Modalities of protection
 - (i) protective measures
 - medical
 - equipment
 - others
 - (ii) training for protection
 - (iii) treatment of victims
 - (iv) additional issues regarding protection of civilians
- (d) Decontamination
 - (i) equipment and facilities
 - (ii) training
- (e) Should protective measures be prohibited?
 - (i) prohibition would be counter-productive as it would lead to a search for security through a CW deterrent
 - (ii) excessive protective measures may induce others to increase chemical weapons capabilities
 - (iii) they should not be prohibited, since protective measures are a stabilizing factor
 - (iv) protective measures will in any case be elaborated in relation to accidents in the civilian chemical industry
- (f) Other matters
 - (i) relationship between protective measures and verification systems
 - (ii) cost of protective measures
 - (iii) exchange of information on protective measures (see also 'confidence building measures')
 - (iv) advisory and training facilities for developing countries

5. Exceptions or 'permitted activities'

- (a) For civilian purposes
 - (i) For scientific and research purposes
 - (ii) For medical purposes

- (iii) For industrial purposes
- (iv) For agricultural purposes
- (v) For riot control and other police activities

(b) For certain non-hostile military purposes

- (i) For protective purposes
- (ii) For rocket fuel, etc.

II - VERIFICATION

1. Objectives

- (a) To ensure compliance with the obligations of a convention
- (b) To enhance credibility of a convention and induce countries to adhere to it
- (c) Others

2. Guiding Principles

- (a) Respect for equality of all Parties
- (b) Respect for sovereignty
- (c) Respect for international solidarity and co-operation
- (d) Non-interference in internal affairs
- (e) Others

3. What is to be verified?

- (a) Destruction of stocks of CW agents and munitions
- (b) Conversion or mothballing of production facilities, etc.
- (c) Destruction or dismantling of production facilities, etc.
- (d) Ensure that prohibited agents are not being produced
- (e) Planning, organizing and training for tasks listed above
- (f) In the initial stages primarily to be directed at:
 - well-known agents
 - super toxic agents

4. National Verification

- (a) National organ
 - Each State to set up national system
 - Modalities to be left to each party in initial stage?
 - Need for internal legislation?

(b) Possible functions

- Observation and supervision of relevant national activities
- Collection of pertinent data
- Preparation of reports (periodic and upon request) to international verification organ
- Acting as contact and host for international inspection teams
- Providing of candidates for international secretariat and its technical staff
- Others

5. International Verification

(a) International organs

(i) Consultative Committee?

- membership
- mandate
- secretariat
- financing

(ii) International Verification (Control) Agency?

- membership
- mandate
- composition of secretariat, including technical staff
- laboratory services
- financing

(b) Possible functions

- collection of data through national organs
- analysis and evaluation of such data
- compilation and distribution of results of above
- handling of complaints of alleged breaches of the convention
- on-site inspections
- off-site inspections
- collection and analysis of material evidence
- reporting to Security Council or United Nations General Assembly
- others

6. Other means to supplement the verification procedure

(a) Initial declarations

(b) Periodic exchange of statements

(c) Review Conferences

(d) Periodic up-dating of definitions, criteria and agent lists

7. Handling of complaints (see also 5 (b) above)

- (a) Procedures
- (b) Role of Consultative Committee
- (c) Investigations into
 - alleged use
 - alleged production
 - alleged stockpiling and research
- (d) Recourse to United Nations Security Council and/or the General Assembly

8. Confidence building measures

- (a) General principles
- (b) Objectives
- (c) Measures
 - (i) Preconvention measures
 - (1) declaration of stocks, production facilities
 - (2) invitation to visit to CW facilities
 - (ii) Measures to be provided under convention
 - (1) exchange of information
 - military protective measures against CW agents
 - protective measures for civilians against CW agents
 - protective measures against industrial accidents
 - (2) exhibitions in framework of the United Nations of protective measures and equipment
 - (3) invitations to visit production facilities to be destroyed on voluntary basis

9. General considerations

- (a) Verification should be seen in light of and as a function of the scope of a convention
- (b) National means of verification and international verification should complement each other
- (c) National means alone would not be credible, and not all States have means to verify beyond their borders
- (d) All States parties to the convention should be enabled to participate and benefit from verification procedures
- (e) Relationship between level of protection against CW attacks, level of sophistication of CW attacks and probability of detection (or verification)

III - OTHER MATTERS */

1. Security assurances for Parties to the convention

- (a) Negative guarantee or non-use declarations
- (b) Positive guarantees
 - (i) medical assistance to State victim of CW attack
 - (ii) co-operation of parties in development of protective measures and equipment
 - (iii) international advisory body could be established under the convention to help developing countries
 - (iv) economic co-operation on peaceful uses of toxic substances - assistance in acquiring know-how would further confidence
 - (v) political and military assistance

2. Right of withdrawal from the convention

- (a) Specify conditions for withdrawal

*/ Issues such as review conferences, entry into force, amendment procedures, etc. were not raised at the meetings of the Working Group."

E. New types of weapons of mass destruction and new systems of such weapons; radiological weapons

57. The item on the agenda entitled "New types of weapons of mass destruction and new systems of such weapons; radiological weapons" was considered by the Committee, in accordance with its programme of work, during the periods 19-29 February, 13-14 March, 31 March-4 April and 7-16 July.

58. The following documents were received by the Committee during its session in connexion with the item:

(a) Document CD/104, dated 26 June 1980, submitted by the Secretariat and entitled "Compilation of relevant documents on radiological weapons covering the period 1979-80".

(b) Document CD/118, dated 15 July 1980, submitted by the delegation of the Union of Soviet Socialist Republics and entitled "Draft decision of the Committee on Disarmament on the establishment of an ad hoc group of experts to prepare a draft comprehensive agreement and to consider the question of concluding special agreements on individual new types and systems of weapons of mass destruction".

59. At its 69th plenary meeting on 17 March 1980, the Committee decided to establish for the duration of its 1980 session an Ad Hoc Working Group of the Committee with a view to reaching agreement on a convention prohibiting the development, production, stockpiling and use of radiological weapons. The Committee further decided that the Ad Hoc Working Group would report to the Committee on the progress of its work at any appropriate time and in any case before the conclusion of its 1980 session (document CD/79).

60. At its 80th plenary meeting on 22 April 1980, the Committee also decided to nominate the representative of Hungary as Chairman of the Ad Hoc Working Group. The Ad Hoc Working Group held 16 meetings between 24 April and 1 August 1980 and the Chairman also conducted informal consultations during that period. As a result of its deliberations the Ad Hoc Working Group submitted a report to the Committee (document CD/133).

61. At its 100th plenary meeting on 9 August 1980 the Committee adopted the report of the Ad Hoc Working Group, which is an integral part of this report and reads as follows:

"I. INTRODUCTION

1. The Final Document of the Tenth Special Session of the General Assembly in its section III entitled 'Programme of Action' contains the following paragraph:

'76. A convention should be concluded prohibiting the development, production, stockpiling and use of radiological weapons'.

2. At its 1979 session the Committee on Disarmament noted with satisfaction the submission by the USSR and the United States of America of an agreed joint proposal on major elements of a treaty prohibiting the development, production, stockpiling and use of radiological weapons (CD/31 and CD/32). Following a preliminary discussion, the Committee concluded that it would continue consideration of the agreed joint proposal as soon as possible at its next annual session.

3. At its thirty-fourth session the General Assembly of the United Nations adopted resolution 34/87 A entitled 'Conclusion of an international convention prohibiting the development, production, stockpiling and use of radiological weapons', which operative paragraphs 1 and 2 read as follows:

'1. Welcomes the report of the Committee on Disarmament with regard to radiological weapons and, particularly, its stated intention to continue consideration of proposals for a convention banning these weapons at its next session;

2. Requests the Committee on Disarmament to proceed as soon as possible to achieve agreement, through negotiation, on the text of such a convention and to report to the General Assembly on the results achieved for consideration by the Assembly at its thirty-fifth session.'

4. In considering item 5 of its 1980 agenda, entitled 'New types of weapons of mass destruction and new systems of such weapons; radiological weapons', the Committee on Disarmament at its 69th plenary meeting held on 17 March 1980 adopted the following decision:

'The Committee on Disarmament decides to establish for the duration of its 1980 session an Ad Hoc Working Group of the Committee with a view to reaching agreement on a convention prohibiting the development, production, stockpiling and use of radiological weapons.

The Ad Hoc Working Group will report to the Committee on the progress of its work at any appropriate time and in any case before the conclusion of its 1980 session.'

5. At its 80th meeting on 22 April the Committee appointed Ambassador Dr. Imre Konives of Hungary as Chairman of the Ad Hoc Working Group. Mr. B. Konstantinov, of the United Nations Centre for Disarmament, was appointed as Secretary of the Working Group.

II. SUMMARY OF THE PROCEEDINGS

6. In accordance with the agreement reached in the Committee, the Ad Hoc Working Group held 16 meetings between 24 April and 1 August 1980.

7. Delegates of all member States of the Committee on Disarmament participated in the work of the Working Group. Experts from Czechoslovakia, Egypt, France, Romania, Indonesia, Sweden, USSR, United States and Yugoslavia provided additional information and gave explanations.

8. At its first meeting the Working Group considered organizational matters and agreed that it would start its substantive work on Monday, 16 June, providing, at the beginning, possibility for a short general exchange of views on radiological weapons. It was also agreed that each delegation would decide at which point the assistance of experts would be needed.

9. At its second meeting the Working Group agreed that the proceedings should encompass three phases:

(a) to identify the main elements of the future treaty, bearing in mind the documents submitted so far and the statements made;

(b) to negotiate on each of identified elements;

(c) to draft the text of the convention.

10. At the request of the Working Group the Chairman submitted and the Group adopted at its third meeting a working paper containing the 'Main elements in the negotiations of a treaty on the prohibition of radiological weapons', namely:

1. Preamble
2. Scope of the prohibition
3. Definition of radiological weapons
4. Activities and obligations
5. Relationship with other disarmament measures and agreements
6. Peaceful uses
7. Compliance and verification
8. Other provisions
9. Amendments
10. Duration and withdrawal
11. Review conference
12. Adherence, entry into force, depositary
13. Annexes

11. At the same meeting the Group adopted a proposal by the Chairman concerning the order which could serve as a guide in discussing the main elements at meetings of the Working Group, namely:

- Definition of radiological weapons
- Scope of the prohibition
- Activities and obligations
- Peaceful uses, Relationship to other treaties
- Compliance and verification
- The remaining 'main elements' (other provisions, amendments, duration and withdrawal, review conference, adherence, entry into force, depositary)
- Preamble

It was further agreed that during each meeting the Working Group would tackle all proposals and considerations of States members of the Committee on Disarmament which were submitted prior to the day of the meeting or might be submitted and which refer to the main element to be discussed.

12. In the conduct of its work the Working Group had before it the following documents and working papers:

- (1) CD/31 - Letter dated 9 July 1979 addressed to the Chairman of the Committee on Disarmament from the Representative of the Union of Soviet Socialist Republics transmitting a document entitled 'Agreed joint USSR-United States proposal on major elements of a treaty prohibiting the development, production, stockpiling and use of Radiological Weapons'.
- (2) CD/32 - Letter dated 9 July 1979 addressed to the Chairman of the Committee on Disarmament from the Representative of the United States of America transmitting a document entitled 'Agreed joint United States-USSR proposal on major elements of a treaty prohibiting the development, production, stockpiling and use of radiological weapons'.
- (3) CD/40 - 'Working paper on the draft preambular part of the Treaty on the Prohibition of the development, manufacture, stockpiling and use of radiological weapons', dated 23 July 1979, submitted by the delegation of Hungary;
- (4) CD/42 - 'Working paper on draft paragraph XI, subparagraph 3, and paragraph XII, subparagraph 3 of the Treaty on the Prohibition of the Development, Manufacture, Stockpiling and Use of Radiological Weapons', dated 25 July 1979, submitted by the delegation of the German Democratic Republic.
- (5) CD/RW/WP.3 - Canada: Comments on major elements of a Treaty prohibiting the development, production, stockpiling and use of radiological weapons.
- (6) CD/RW/WP.4 - Federal Republic of Germany: Proposal for a new Article V.
- (7) CD/RW/WP.5 - Federal Republic of Germany: Comments on major elements of a Treaty prohibiting the development, production, stockpiling and use of radiological weapons.
- (8) CD/RW/WP.6 - Sweden: Proposals for Articles I, II and III; of a Treaty prohibiting radiological warfare including the development, production, stockpiling and use of radiological weapons.
- (9) CD/RW/WP.7 - Italy: Comments on major elements of a Treaty prohibiting the development, production, stockpiling and use of radiological weapons (Doc. CD/31 and CD/32).
- (10) CD/RW/WP.8 - France: Proposed amendments to the agreed joint USSR-USA proposal on major elements of a Treaty prohibiting the development, production, stockpiling and use of radiological weapons.
- (11) CD/RW/WP.9 - Pakistan: Proposals for a revised Article V and a new article after Article V.

- (12) CD/RW/WP.10 - Yugoslavia: Proposal for an article of the Treaty related to the definition of radiological weapons.
- (13) CD/RW/WP.11 - Argentina: Observations on a Treaty prohibiting radiological weapons.
- (14) CD/RW/WP.12 - Venezuela: Proposals for a title and for substitution of the Articles I, II and III of the 'agreed joint USSR-USA proposal on major elements of a treaty prohibiting the development, production, stockpiling and use of radiological weapons'.
- (15) CD/RW/WP.14 - Sweden: Proposal for a study on IAEA safeguards.

In addition to these documents the Working Group took into account the views expressed by many delegations on the question of the prohibition of radiological weapons in the Committee, as well as during the last session of the General Assembly. Many delegations have also commented upon the documents referred to previously, making suggestions and also asking questions in connexion with them.

At the request of the Group, the Secretariat compiled in twelve Conference Room Papers and their addenda all proposals and suggestions mentioned above, as well as additional proposals and suggestions made by the delegations of Australia, Belgium, Bulgaria, Egypt, the Federal Republic of Germany, India, Mexico, Morocco, the Netherlands, Romania and Pakistan.

A list of documents, working papers and conference room papers was prepared by the Secretariat (CD/RW/WP/13/Rev.1).

13. At the request of the Working Group the Secretariat prepared a 'Compilation of relevant documents on radiological weapons covering the period 1979-1980' (CD/104).

14. Also at the request of the Working Group the Secretariat prepared a tabulation of the texts of all proposals concerning the provisions of a treaty on radiological weapons (CD/RW/WP.15).

III. SUMMARY OF THE DISCUSSION

15. In carrying out its mandate, the ad hoc working group held extensive discussions on the main elements of a treaty prohibiting radiological weapons. The discussion revealed that, while all delegations were ready to negotiate a treaty on radiological weapons, different concepts existed with regard to approach, the priority, the role and scope of the treaty, the definition of radiological weapons and the procedures of verifying compliance, as well as in some other areas.

16. With respect to the approach, the role and the scope of the treaty, the view was expressed on the one hand that its importance consisted of preventing the emergence of a particular type of weapon of mass destruction not yet in existence but which could be developed and produced. Consequently, the treaty should not be burdened with additional problems. Furthermore, the treaty would represent another contribution to the limitation of the qualitative arms race and progress towards the objective of using scientific and technological

achievements solely for peaceful purposes. The joint USSR-United States proposal was regarded as a suitable basis for reaching agreement on a treaty prohibiting the development, production, stockpiling and use of radiological weapons. On the other hand, in assessing the joint proposal, the view was expressed that the text was too restrictive and it should be broadened so as to include the prohibition of all kinds of weapons that used radiation. In this respect, it was stressed that any treaty prohibiting the use of radiological weapons should contain explicit provisions concerning the urgent priority of nuclear disarmament.

- The view was held that particle beam weapons should also be covered by a ban on radiological weapons. However, others pointed out that particle beam weapons are of a different nature and could not be included within the scope of the proposed convention.

- The question of introducing the notion of radiological warfare was raised. The view was expressed that the term radiological warfare meant dissemination of radioactive material, other than through the explosion of a nuclear explosive device, in order to cause destruction, damage or injury by means of the radiation produced by the decay of such material. In this connexion the view was expressed that the introduction of such a notion would lead to confusion in the field of international law related to armed conflicts, and that the joint USSR-United States proposal was aimed at a preventive prohibition of radiological weapons as well as the prohibition of radiological warfare, i.e. military actions with the use of such weapons.

- The view was expressed that the treaty should explicitly prohibit deliberate attacks on nuclear reactors or any other nuclear fuel facilities. On the other hand, the view was expressed that a similar prohibition was already provided for in Article 56 of the I Additional Protocol of 1977 to the Geneva Conventions of 1949, on the protection of victims of international armed conflicts.

- It was stated that, as radiological weapons did not yet exist, and that since it did not seem foreseeable that they could exist as a specific type of weapon, the work of the Committee on Disarmament should be oriented towards the conclusion of a convention on the prohibition of the use of radioactive material for hostile purposes. This opinion was contested, and the view was expressed that such an approach would limit the scope of a future treaty and that the joint proposal was more comprehensive.

- The view was expressed that more explicit wording should be used with respect to the prohibition of radiological weapons in wartime, for defence purposes, as well as to the use of radioactive barriers and permissible levels of radioactivity.

17. With respect to the definition, the view was expressed that the joint proposal was insufficient. The view was expressed that the definition of radiological weapons should not be so drafted as to imply that the use of nuclear weapons would have a legal justification that certain delegations did not accept. The definition of radiological weapons should, therefore, be in terms of the specific attributes of such potential weapons and not in terms of the exclusion of nuclear explosive devices. On the other hand, the view was expressed that the definition of radiological weapons contained in the joint proposal had a sound scientific basis. At the same time the view was expressed that it would be useful to continue the search for a formulation that would define radiological weapons in strictly positive terms, without resorting to exclusion clauses.

18. Questions were raised regarding the manner in which the fulfilment of the obligations contained in the joint USSR-United States elements not to divert radioactive material for use in radiological warfare would be monitored, especially with regard to radioactive material in nuclear facilities outside international safeguards. It was proposed in this context that an overview study of the possibilities of establishing and administering international safeguards should be performed by the Secretariat. Others expressed their disagreement with this proposal.

19. It was generally accepted that the provisions of the treaty should not hinder the use of radiation from radioactive decay for peaceful purposes. Views were expressed concerning the need for more explicit provisions for the right of the parties to exchange information as well as to develop and acquire nuclear technology for peaceful purposes.

20. In the course of consideration of the procedures of verifying compliance, the view was expressed that the related provisions of the joint proposal corresponded to the subject and scope of prohibition and met the requirements of this particular treaty. Some held the view that the procedure of lodging complaints envisaged in the joint USSR-United States proposal could be regarded as a satisfactory one. On the other hand, reservations were made with regard to the procedure of verifying compliance as proposed, in particular with respect to the role of the Security Council of the United Nations, as well as the proposed mandate for the Consultative Committee of Experts. The view was also expressed that greater authority, including with respect to on-site inspection, should be granted to the Consultative Committee of Experts as an independent body. The view was also expressed that the ultimate authority in the matter of compliance should be vested not in the Security Council, but in the United Nations General Assembly or in a Governing Board consisting of all the States Parties to the Treaty.

21. The working group also briefly considered other elements of a treaty, such as the preamble and the final clauses.

IV. CONCLUSION

22. There was wide recognition of the need to reach agreement on the text of a treaty prohibiting radiological weapons. However, various differences of approach have yet to be resolved.

23. In the light of the progress made, the Ad Hoc Working Group recommends that the Committee on Disarmament set up at the beginning of its 1981 session a further Ad Hoc Working Group under an appropriate mandate to be determined at that time, to continue negotiations on the elaboration of a treaty prohibiting radiological weapons."

62. The Committee also considered the general question of new types of weapons of mass destruction and new systems of such weapons. It had before it a proposal for the establishment of an ad hoc group of experts to prepare a draft comprehensive agreement and to consider the question of concluding special agreements on individual types of weapons of mass destruction and new systems of such weapons. Other views in support of the creation of such an ad hoc group of experts were to the effect that the terms of reference of the group should be to maintain under constant observation any developments in the field in question and to keep the CD duly informed of the results of its work. It was also suggested that the Committee might usefully establish

in next year's session a working group to examine this question more thoroughly and to elaborate a definition of weapons of mass destruction. The view was also expressed that the Committee itself could consider this question with the assistance of experts. It was also suggested as an alternative that an expert study could be commissioned on the subject. The Committee will continue to examine this problem further next year.

F. Comprehensive programme of disarmament

63. The item on the agenda entitled "Comprehensive programme of disarmament" was considered by the Committee, in accordance with its programme of work, during the following periods: 19-29 February and 17-28 March 1980.

64. The following document was presented to the Committee during the year in connexion with the item: document CD/128, dated 29 July 1980, submitted by a group of Socialist countries, */ containing a proposal for the main elements of a Comprehensive Programme of Disarmament.

65. At its 69th plenary meeting on 17 March 1980, the Committee decided to establish an Ad Hoc Working Group of the Committee to initiate negotiations on the comprehensive programme of disarmament, envisaged in paragraph 109 of the Final Document of the first special session of the United Nations General Assembly devoted to disarmament, with a view to completing its elaboration before the second special session of the General Assembly devoted to disarmament. The Committee further decided that the Ad Hoc Working Group would report to the Committee on the progress of its work at any appropriate time and in any case before the conclusion of its 1980 session.

66. At the same meeting, the Chairman of the Committee stated that it was understood that, in carrying out its task, the Ad Hoc Working Group should take into account, inter alia, the recommendations adopted by the Disarmament Commission, all documents compiled or tabulated by the Secretariat for the Working Group established in 1978 by the CCD on the comprehensive programme of disarmament, as well as all the working papers and proposals on the comprehensive programme of disarmament which have been submitted to the Committee on Disarmament. He further stated that the Ad Hoc Working Group should also take into account other proposals and documents that may be submitted to the Committee on Disarmament during the course of its work by members and non-members of the CD (document CD/78).

67. At its 80th plenary meeting on 22 April 1980, the Committee also decided to nominate the representative of Nigeria as Chairman of the Ad Hoc Working Group. The Ad Hoc Working Group held 10 meetings between 19 June and 29 July 1980. As a result of its deliberations the Ad Hoc Working Group submitted a report to the Committee (document CD/126/Rev.1).

68. At its 100th plenary meeting on 9 August 1980, the Committee adopted the report of the Ad Hoc Working Group, which is an integral part of this report and reads as follows:

"1. In considering item 6 of its agenda, entitled 'Comprehensive Programme of Disarmament', the Committee on Disarmament adopted, at its 69th plenary meeting on 17 March 1980, the following decision:

'The Committee on Disarmament decides to establish an Ad Hoc Working Group of the Committee to initiate negotiations on the comprehensive programme of

*/ Bulgaria, Czechoslovakia, Hungary, Mongolia.

disarmament, envisaged in paragraph 109 of the Final Document of the first special session of the United Nations General Assembly devoted to disarmament, with a view to completing its elaboration before the second special session of the General Assembly devoted to disarmament.

The Ad Hoc Working Group will report to the Committee on the progress of its work at any appropriate time and in any case before the conclusion of its 1980 session.'

2. At the 80th plenary meeting on 22 April 1980, the Committee designated Ambassador Olu Adeniji (Nigeria) as Chairman of the Ad Hoc Working Group. Mr. G. Efimov, United Nations Centre for Disarmament, was appointed Secretary of the Ad Hoc Working Group.

3. The Working Group held 10 meetings between 19 June and 29 July 1980.

4. In fulfilling its mandate the Ad Hoc Working Group took into account the statement of the Chairman of the Committee on Disarmament made at the 69th plenary meeting on 17 March 1980, which reads as follows:

'It is understood that, in carrying out its task, the Working Group shall take into account, inter alia, the recommendations adopted by the Disarmament Commission, all documents compiled or tabulated by the Secretariat for the Working Group established in 1978 by the CCD on the comprehensive programme of disarmament, as well as all the working papers and proposals submitted to the Committee on Disarmament. It shall also take into account other proposals and documents that may be submitted to the Committee on Disarmament during the course of its work by members and non-members of the CD.'

5. During the course of its work the following working papers were submitted to the Working Group:

(a) A working paper by Mexico entitled 'Draft text for the section of the programme entitled 'Objectives'' (CD/CPD/WP.3).

(b) A working paper by Pakistan on the outline of the comprehensive programme of disarmament (CD/CPD/WP.4).

(c) A working paper by Czechoslovakia entitled 'Draft text of the section of the programme headed 'Objectives'' (CD/CPD/WP.5).

(d) A working paper by Mexico entitled 'Draft text for the section of the programme entitled 'Principles and guidelines'' (CD/CPD/WP.6).

(e) A working paper by China entitled 'Chinese Delegation's proposal on the main principles of a comprehensive programme of disarmament' (CD/CPD/WP.8).

(f) A working paper by Czechoslovakia entitled 'Draft section of a comprehensive programme of disarmament concerning the general guidelines for efforts to limit the arms race and achieve disarmament' (CD/CPD/WP.9).

(g) A working paper by Venezuela entitled 'Working paper on the comprehensive programme of disarmament: Principles' (CD/CPD/WP.10).

(h) A working paper by Poland entitled 'Comprehensive programme for disarmament and the concept of education for peace' (CD/CPD/WP.12).

(i) A working paper by Czechoslovakia on principles of the comprehensive programme of disarmament (CD/CPD/WP.13).

(j) A working paper by Czechoslovakia on forms and machinery (CD/CPD/WP.15).

6. Furthermore, the Chairman of the Working Group prepared an outline of a comprehensive disarmament programme (CD/CPD/WP.2/Rev.1), and the Secretariat, at the request of the Ad Hoc Working Group, prepared the following working papers:

(a) List of documents (CD/CPD/WP.1).

(b) Working papers containing documents ENDC/2/Rev.1, ENDC/2/Rev.1/Corr.1, ENDC/5, ENDC/18, ENDC/30 and ENDC/30/Corr.1, submitted by the Union of Soviet Socialist Republics and the United States of America in 1962 to the ENDC (CD/CPD/WP.7 and CD/CPD/WP.7/Add.1).

(c) List of specific measures as contained in the Final Document of the Tenth Special Session and Reports of the Disarmament Commission, 1979 and 1980 (CD/CPD/WP.11).

(d) List of specific measures as envisaged in the Draft Treaty on General and Complete Disarmament submitted by the Union of Soviet Socialist Republics in 1962 (ENDC/2/Rev.1) and Outline of Basic Provisions of a Treaty on General and Complete Disarmament in a Peaceful World submitted by the United States of America in 1962 (ENDC/30), (CD/CPD/WP.14).

7. At the beginning of its work the Ad Hoc Working Group decided to initiate negotiations on the comprehensive programme of disarmament using as a framework for its discussion the 'Outline of a Comprehensive Disarmament Programme' proposed by the Chairman. The outline as adopted by the Working Group in CD/CPD/WP.2/Rev.1 consists of seven chapters as follows:

Introduction or Preamble

Objectives

Principles

Priorities

Measures

Stages of Implementation

Machinery and Procedure

8. Since chapter 1 of the Outline - Introduction or Preamble - will be dependent on the nature of the form and content of the other chapters in the programme, the Working Group decided to defer its consideration. It was also agreed that the Working Group should first undertake a general exchange of ideas on the six substantive chapters to enable members to state their views, seek and obtain clarifications, make suggestions and proposals, and generally lay the basis for the second stage of work when the Working Group would embark on drafting negotiated texts. As it turned out, the Working Group had sufficient time only for the first stage; therefore this report does not contain any negotiated texts nor agreed views unless it is explicitly stated. The views in paragraphs 9-15 were expressed either in statements or in the working papers submitted by delegations.

9. Under the chapter 'Objectives', discussions centred around the identification of the general objectives. It was generally agreed that the ultimate objective or the long-term goal of the comprehensive programme of disarmament should be general and complete disarmament under effective international control. It was suggested that the immediate objective of the comprehensive programme should be to eliminate the danger of war, particularly nuclear war, to make discernible progress in disarmament measures through the consolidation of the momentum generated by the first special session of the General Assembly devoted to disarmament, thus ensuring the cessation and reversal of the arms race, particularly the nuclear arms race, and the relaxation of international tension. Other objectives suggested were: development of confidence building measures, mobilization of world public opinion in favour of disarmament, the promotion of the interrelationship between disarmament and international security and between disarmament and development and the establishment of the new international economic order. It was recalled that the objectives of a comprehensive disarmament programme would have to be achieved on a step by step basis in the whole disarmament process.

10. Under 'Principles', the Working Group's attention was called to the principles for disarmament negotiations contained in paragraphs 26 to 42 of the Final Document of the first special session. It was pointed out however that while those paragraphs contain some fundamental principles, they also contain parts which are strictly speaking, not principles. Further, it was thought that the provisions which can be considered as principles or guidelines are in fact to be found in various parts of the Final Document. It would therefore be necessary to undertake a careful examination of the Final Document in order to identify and assemble together the many principles therein. In any case, since the comprehensive programme will have to be self-contained, it should encompass in extenso all the principles that are thought to be relevant, including even those that are not be found in the Final Document but which may be found appropriate. Several working papers submitted on this chapter as well as statements made by delegations will enable the Working Group to compile a fairly exhaustive list.

11. With regard to 'Priorities', a view was expressed that this chapter has a direct link with the stages of implementation, in that priority accorded to measures will have to be reflected in the stage at which they are implemented. Attention was called to paragraph 45 of the Final Document of the first special session of the General Assembly devoted to disarmament which sets out priorities in disarmament negotiations. Though negotiations on disarmament measures can

be conducted concurrently, nevertheless this should not mean a relegation to a secondary or subordinate position of issues of topmost priority while concentration is placed on peripheral issues. It was felt that the elimination of the danger of nuclear war and the implementation of measures towards this end should have the highest priority.

12. On 'Measures', it was agreed that for the current stage of its work, the Working Group should first try to draw up a detailed and full list of all measures which could be included in the comprehensive programme. To this end, the Secretariat was requested to prepare a compilation of all measures contained in the Final Document of the first special session and the reports of the two substantive sessions of the Disarmament Commission as well as in the draft treaties submitted by the Soviet Union and the United States in 1962. In addition to those documents, other documents that emphasize the particular ideas and concerns of delegations were submitted. Due to lack of time, a substantive consideration could not be given to the various proposals.

13. On 'Stages of Implementation', the discussions focused on the issue of time frames. It was felt on the one hand that the comprehensive programme in its totality must be conceived within a time frame for its completion. According to this view, specific measures in accordance with priorities accorded to them should also have time frames so that the implementation of the programme could proceed from one stage to the next until final accomplishment of general and complete disarmament. A programme without time frames, it was felt, would be pointless. Indeed, without a time frame the comprehensive programme of disarmament would be merely an enumeration of disarmament measures whose achievement would be illusory. The commitment towards time frames would, in fact, be an expression of the political will of States to implement the programme. On the other hand, it was emphasized that the implementation of a programme could not be subject to a timetable set in advance, as it is unrealistic to provide rigid time frames for the conclusion of the relevant international agreements since that depends on a number of factors which it is frequently difficult to anticipate. It was argued that the setting of deadlines was not compatible with the conditions of a negotiation, a fortiori with the requirements of a series of interdependent negotiations. Another alternative view was also stated according to which, while tentative deadlines should be presented as desirable goals to be aimed at, special care should be taken to avoid the impression that they constituted inflexible targets.

14. On 'Machinery and Procedure', the discussion centred on identification of the various topics on which this chapter may be based. It was suggested that these include, examination of machinery for negotiations, machinery for deliberations, procedure for keeping the United Nations informed of all efforts in the field of disarmament, machinery for monitoring implementation and ways and means for promoting public awareness. It was also observed that thought should be given to means of co-ordination of disarmament negotiations bearing in mind that these negotiations will take place in various forums both within and outside the United Nations system.

15. Having completed its general exchange of ideas on the substantive chapters, the Working Group had a brief preliminary discussion on 'Introduction or Preamble'. The discussion centred mainly on the nature of the programme. On the one hand, it was held that the comprehensive programme should constitute a legally binding instrument, much like a treaty or convention, under which States would accept a legal commitment to implement a series of disarmament measures within a specific period of time. On the other hand, it was held that the programme should be seen as a framework for negotiations, the implementation of which States would commit themselves to, though not in a formal legal manner. It was also held that the programme should include first of all a complex of measures which should be negotiated on with a view to concluding appropriate international treaties and therefore it could not be construed as a legally binding document. Another point of view held that the comprehensive programme could entail on States, obligations somewhat less than those arising from international treaties but more than a mere 'moral commitment' to implementation.

Conclusions

16. Bearing in mind that the Committee on Disarmament should conclude negotiations on the comprehensive programme of disarmament in time for submission to the second special session of the United Nations General Assembly devoted to disarmament, it is essential that the Ad Hoc Working Group on a comprehensive programme should be enabled to resume its work immediately on the commencement of the next session of the Committee.

17. The discussions which have taken place during the current session of the Ad Hoc Working Group have served to focus attention on some of the issues that have to be clarified. It should be possible for the Working Group to proceed to elaboration of its text at the next session using the elements of the comprehensive programme submitted by the Disarmament Commission in 1979, the Final Document of the special session, the draft Declaration of the 1980's as the Second United Nations Decade on Disarmament, as well as the working papers that were presented by various delegations."

G. Consideration of other areas dealing with the cessation of the arms race and disarmament and other relevant measures

69. During its 1980 session, the Committee had before it another document which, although not considered under the items of the agenda, deals with the cessation of the arms race and disarmament and other relevant measures in other areas: document CD/56, dated 5 February 1980, submitted by the delegation of Italy and containing a working paper entitled "Control and limitation of international arms transfers".

H. Consideration and adoption of the annual report and any other report as appropriate to the General Assembly of the United Nations

70. The item on the agenda entitled "Consideration and adoption of the annual report and any other report as appropriate to the General Assembly of the United Nations" was considered by the Committee, in accordance with its programme of work, from 28 July to 9 August 1980.

71. Under this item of the agenda, the Committee also considered the following questions:

(a) State of the consideration of the proposals and suggestions listed in paragraph 125 of the Final Document of the first special session of the General Assembly devoted to disarmament, which were transmitted to the Committee with General Assembly resolution 33/71 L, and

(b) Consideration of the modalities of the review of the membership of the Committee, referred to in General Assembly resolution 33/91 G.

72. In connexion with the state of the consideration of the proposals and suggestions listed in paragraph 125 of the Final Document of the first special session of the General Assembly devoted to disarmament, the Committee noted that those proposals and suggestions were being considered by more than one organ. So far as the Committee on Disarmament is concerned, they have been brought to its attention and are considered as falling within the purview of the decalogue of ten Roman numbers which provide the framework for the annual agenda of the Committee. Members of the Committee have kept in mind those proposals and suggestions in dealing with the agenda items, and they are free to discuss them, in accordance with the Rules of Procedure. The proposals and suggestions listed in paragraph 125 of the Final Document continue to be before the Committee and are receiving due consideration from the members in the context of the annual agenda of the Committee.

73. As regards its consideration of the modalities of the review of its membership, the Committee took into account Section IX of its Rules of Procedure, entitled "Participation of States not members of the Committee". In considering possible modalities or methods for reviewing its membership, the Committee kept in mind, inter alia, paragraph 113 of the Final Document which declared that, in order to achieve maximum effectiveness in the sphere of disarmament, two kinds of bodies were required: deliberative, in which all member States should be represented, and negotiating, which for the sake of convenience should have a relatively small membership. Precedents in this regard were recalled, and it was noted that reviews of membership had been considered earlier. Two enlargements were agreed upon in 1969 and 1974 by the addition of eight and five new members. The agreement reached on those enlargements was endorsed by resolutions 2602 B (XXIV) and 3261 B (XXIX) of the General Assembly, which outlined a procedure for any future change in the composition of the negotiating body. As a result of the changes introduced in disarmament machinery at the first special session of the General Assembly devoted to disarmament, the membership of the negotiating body reached the present figure of 40. This is brought to the attention of the General Assembly as past practice. The Committee will, at an appropriate time, conduct a review of its membership and report on the results to the General Assembly.

74. During the consideration and adoption of this report to the General Assembly of the United Nations, the following documents were tabled for inclusion in the records:

(a) Document CD/134, dated 6 August 1980, entitled "Statement of the Group of 21 on the conclusion of the annual session of the Committee on Disarmament in 1980";

(b) Document CD/135, dated 7 August 1980, containing a declaration of a group of Socialist countries */ on the results of the 1980 session of the Committee on Disarmament;

*/ Bulgaria, Czechoslovakia, German Democratic Republic, Hungary, Mongolia, Poland, Union of Soviet Socialist Republics.

(c) Document CD/136, dated 9 August 1980, containing a statement of China;

(d) Document CD/138, dated 9 August 1980, containing a statement by the delegation of Mexico concerning Committee documentation relating to requests for participation by States not members of the Committee.

75. The present report is transmitted by the Chairman on behalf of the Committee on Disarmament.

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