

**REPORT**  
**OF THE**  
**COMMITTEE ON DISARMAMENT**

**GENERAL ASSEMBLY**

OFFICIAL RECORDS: THIRTY-SIXTH SESSION

SUPPLEMENT No. 27 (A/36/27)



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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.

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1/ To be issued as separate volumes of this report.



## I. INTRODUCTION

1. The Committee on Disarmament submits to the thirty-sixth session of the United Nations General Assembly its annual report on its 1981 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 1981 (Part III).

### II. ORGANIZATION OF THE COMMITTEE

#### A. 1981 Session of the Committee

2. The Committee was in session from 3 February to 24 April and from 11 June to 21 August 1981. During this period, the Committee held 49 formal plenary meetings at which members set forth their Government's views and recommendations on the questions before the Committee.

3. The Committee also held 45 informal meetings on various subjects, including its agenda and programme of work, organization and procedures, as well as items of the agenda and other matters 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: France for February, the German Democratic Republic for March, the Federal Republic of Germany for April and the recess between the first and second parts of the 1981 session of the Committee, Hungary from 11th until the end of June, India for July, and Indonesia for August and the recess until the 1982 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, the 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 consolidated list of participants in the first and second parts of the session is included as Appendix I to the report.

#### C. Agenda for the 1981 Session and Programme of Work for the First and Second Parts of the Session

6. At the 104th plenary meeting, the Chairman submitted a proposal on the provisional agenda and the programme of work of the Committee, for the first part of the session, in conformity with rule 29 of the Rules of Procedure. In submitting that proposal, the Chairman stated the following:

"It is understood that the question of the non-stationing of nuclear weapons on the territories of States where there are no such weapons at present can be considered under item 2 of the Committee's agenda, 'Cessation of the nuclear arms race and nuclear disarmament'; It is also understood that the report of the Committee, item 7 of the agenda, will deal, inter alia, with the question of the consideration of the modalities of the review of the membership of the Committee, mentioned in General Assembly resolution 35/156 I.

I draw the Committee's attention to the fact that organizational questions are not mentioned in the programme of work, in compliance with the Committee's wish that these questions, and in particular the question of amendments to Section IX of the Rules of Procedure, should be dealt with at informal meetings."

7. At the same plenary meeting, the Committee adopted its agenda and programme of work. Some delegations made statements in connection with the agenda. The text of the agenda and programme of work for the first part of the session (document CD/144\*) reads 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 1981 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.

"The Committee will conduct its work bearing in mind the contribution that it should make to the success of the second special session of the General Assembly devoted to disarmament.

#### PROGRAMME OF WORK

"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 1981 session:

3-6 February	Statements in the plenary. Consideration of the agenda and programme of work.
9-13 February	Statements in the plenary. Preliminary consideration of the question of the establishment of subsidiary bodies on items of the agenda.
16-20 February	Nuclear test ban.
23 February-4 March	Cessation of the nuclear arms race and nuclear disarmament.
5-13 March	Comprehensive programme of disarmament.
16-20 March	Effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons.
23 March-3 April	Chemical weapons.
6-10 April	New types of weapons of mass destruction and new systems of such weapons; radiological weapons.
13-17 April	Further consideration of agenda items.
20-24 April	Interim reports of <u>ad hoc</u> 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. At the 105th plenary meeting, the Committee also adopted a decision on ad hoc working groups. Statements were made in that connection. The decision (document CD/151) read as follows:

"The Committee decides that the ad hoc working group on the comprehensive programme of disarmament established on 17 March 1980 shall resume its work forthwith, in accordance with the conclusion reached by the Committee at its 100th plenary meeting (paragraph 68.16 of CD/139).

"The Committee further decides to re-establish, for the duration of its 1981 session, the ad hoc working groups on effective international arrangements to assure non-nuclear weapon States against the use or threat of use of nuclear weapons, chemical weapons and radiological weapons, which were established on 17 March for its 1980 session, so that they may continue their work on the basis of their former mandates.

"It is understood that the Committee will, as soon as possible, review the mandates of the three ad hoc working groups with a view to adapting, as appropriate, their mandates to advance the progress of the process of negotiations towards the objective of concrete disarmament measures.

"It is also understood that the decision taken by the Committee in no way precludes the urgent consideration of the proposals submitted for the establishment of other ad hoc working groups on items 1 and 2 of the Committee's agenda, as well as the consideration of the establishment of other subsidiary bodies which have been or may be proposed.

"The ad hoc working groups will report to the Committee on the progress of their work at any appropriate time and in any case before the conclusion of its 1981 session."

9. During the second part of the 1981 session of the Committee, the Chairman submitted, at the 129th 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:

"In connection with the adoption of the programme of work of the Committee for the second part of its 1981 session, the following understanding will be kept in mind:

"The closing date of the session will be in August and will not go beyond 27 August. The actual closing date will be determined not later than 31 July, taking into account the requirements of the Committee's work as required by rule 7 of the rules of procedure.

"The Committee will meet in plenary sessions ordinarily twice a week, on Tuesdays and Thursdays, subject to the understanding that if no speakers have been inscribed for a particular plenary meeting 24 hours in advance, that meeting will be cancelled and the time thus obtained reallocated by the Chairman after appropriate consultations.

"The following questions relating to the organization of work would be considered at informal meetings during the week ending 19 June as well as subsequently:

- (a) The proposal to revise the existing mandate of the Ad Hoc Working Group on Chemical Weapons;
- (b) The proposal to establish additional subsidiary bodies, and
- (c) The proposal to hold informal meetings with the participation of experts to consider the item 'New types of weapons of mass destruction and new systems of such weapons'.

"The following additional questions relating to the organization of work would also be considered at informal meetings to be scheduled by the Chairman during the session:

- (a) Consideration of the modalities of the review of the membership of the Committee on Disarmament, including the views expressed by members concerning the improved and effective functioning of the Committee;
- (b) Amendments to section IX of the rules of procedure;
- (c) Format of the report of the Committee on Disarmament to the General Assembly, taking into account the need for economy in documentation.

"It is envisaged that the report of the Ad Hoc Group of Scientific Experts to Consider International Co-operative Measures to Detect and Identify Seismic Events will be duly considered at a plenary meeting in August after its submission."

10. At the same plenary meeting, the Committee adopted the programme of work proposed by the Chairman (CD/186\*). It read as follows:

"In compliance with rule 28 of its Rules of Procedure, the Committee on Disarmament adopts the following programme of work for the second part of its 1981 session:

- |                |   |
|----------------|---|
| 11-19 June     | Statement in the plenary meetings.<br>Consideration of the programme of work for the second part of the 1981 session, as well as of the establishment of additional subsidiary bodies and questions relating to the organization of work. <u>1/</u> |
| 22-26 June     | Nuclear test ban  |
| 29 June-3 July | Cessation of the nuclear arms race and nuclear disarmament.   |

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1/ These questions are spelt out in the statement of the Chairman.

- 6-10 July New types of weapons of mass destruction and new systems of such weapons; radiological weapons.
- 13-17 July Chemical weapons.
- 20-24 July Comprehensive programme of disarmament.
- 27-31 July Effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons.
- 3-7 August Further consideration of agenda items and outstanding questions relating to the organization of work. 1/
- 10-... August Consideration of the reports of subsidiary bodies.
- Consideration and adoption of the annual report and any other report as appropriate to the General Assembly of the United Nations. 2/

"The ad hoc working groups already established by the Committee shall continue to hold at least one meeting per week, starting on 16 June, as follows:

- Effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons on Tuesday afternoons;
- Chemical weapons on Wednesday afternoons;
- Comprehensive programme of disarmament on Thursday afternoons;
- Radiological weapons on Friday mornings.

"Additional meetings of the ad hoc working groups may be convened weekly after consultations 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.

"The Ad Hoc Group of Scientific Experts to Consider International Co-operative Measures to Detect and Identify Seismic Events shall meet from 3 to 14 August.

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

1/ These questions are spelt out in the statement of the Chairman.

2/ The annual report of the Committee will, inter alia, deal with the question of the consideration of the modalities of the review of the membership of the Committee.

11. At its 125th plenary meeting, the Committee decided to close the first part of its annual session on 24 April and to start the second part on 11 June. At its 142nd plenary meeting, the Committee also decided to close its 1981 session on 21 August.

D. Participation by States not members of the Committee

12. In conformity with rule 32 of the Rules of Procedure, the following States not members of the Committee attended plenary meetings of the Committee: Austria, Chile, Denmark, Dominican Republic, Finland, Greece, Holy See, Iraq, Madagascar, Norway, Spain, Switzerland, Turkey, United Arab Emirates and Viet Nam.

13. The Committee received and considered requests to participate in its work from States not members of the Committee. Several delegations made statements in this connection (CD/PV.104). In accordance with the Rules of Procedure, the Committee invited:

(a) the representatives of Austria, Denmark, Finland, Norway and Spain to participate in 1981 in the discussions on the substantive items on the agenda at plenary and informal meetings of the Committee, as well as in the meetings of the Ad Hoc Working Group on the Comprehensive Programme of Disarmament;

(b) the representative of Switzerland to participate in 1981 in the discussions on the items relating to chemical weapons and effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons at plenary and informal meetings of the Committee, and in the meetings of the Ad Hoc Working Group on the same items on the agenda;

(c) the representative of Finland to participate in 1981 in the meetings of the Ad Hoc Working Groups on Chemical Weapons and on Effective International Arrangements to Assure Non-Nuclear-Weapon States Against the Use or Threat of Use of Nuclear Weapons;

(d) the representatives of Denmark and Norway to participate in 1981 in the meetings of the Ad Hoc Working Group on Chemical Weapons; and

(e) the representatives of Austria and Spain to participate in 1981 in the meetings of the Ad Hoc Working Groups on Effective International Arrangements to Assure Non-Nuclear-Weapon States Against the Use or Threat of Use of Nuclear Weapons, on Chemical Weapons and on Radiological Weapons.

E. Proposal for an Addition to Rule 25 of the Rules of Procedure

14. The delegations of Mexico, Nigeria, Pakistan, Sweden and Yugoslavia submitted on 30 July 1981, for possible consideration at the 1982 session of the Committee, a working paper contained in document CD/204, entitled "Working Paper - Establishment of Subsidiary Organs".

F. Consideration of the modalities of the review of  
the membership of the Committee

15. The Committee also considered the modalities of the review of its membership, referred to in General Assembly resolution 35/156 I.
16. As announced by the Chairman of the Committee at its 129th plenary meeting on 16 June 1981, the Committee held a number of informal meetings for the consideration of that question, including the views expressed by members concerning the improved and effective functioning of the Committee.
17. In connection with the latter question, the Committee had before it document CD/200\*, dated 24 July 1981, submitted by a group of socialist countries and entitled "Increasing the effectiveness and improving the organization of work of the Committee on Disarmament".
18. In considering the modalities of the review of its membership, the Committee kept in mind paragraph 113 of the Final Document of the first special session on disarmament, which declared, inter alia, that the negotiating body for the sake of convenience should have a relatively small membership. The Committee also took into account paragraph 28 of the Final Document which says, inter alia, that all States have the right to participate in disarmament negotiations, as well as paragraphs 120 (g) and (h) of the Final Document.
19. Many members were of the opinion that the Committee's present membership was adequate and representative of the world community of States, and that an expansion was premature as the Committee had been in operation for only three years. Some members expressed themselves in favour of a very small increase in the Committee's membership. The view was expressed that any eventual change in membership could take the form of either expansion, or reduction, or rotation of members within the respective regions or groups. However, many delegations were of the view that there was no strong reason at the moment for modifying the present membership.
20. The Committee is aware of the need to facilitate the participation of non-member States in its work. It was generally recognized that all efforts should continue to be made to facilitate such participation by non-member States. The Committee intend to review this question next year so that the interest displayed by non-member States in disarmament measures may be met as fully as possible.
21. Proposals submitted by members for the improved and effective functioning of the Committee were also discussed. The Committee agreed to continue its consideration of these proposals early during the 1982 session (see CD/PV.149).

G. Communications from Non-Governmental Organizations

22. In accordance with rule 42 of the Rules of Procedure, lists of all communications from non-governmental organizations and persons were circulated to the Committee (documents CD/NGC.3 and 4).

### III. WORK OF THE COMMITTEE DURING ITS 1981 SESSION

23. The work of the Committee during its 1981 session was based on its agenda and programmes 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 1981, and the verbatim records of the meetings of the Committee are attached as Appendix III to the report.

24. The Committee also had before it a letter dated 2 February 1981 from the Secretary-General of the United Nations (CD/140) transmitting all the resolutions on disarmament adopted by the General Assembly at its thirty-fifth session in 1980, in particular those entrusting specific responsibilities to the Committee on Disarmament:

- 35/46 "Declaration of the 1980s as the Second Disarmament Decade"
- 35/144 B "Chemical and bacteriological (biological) weapons"
- 35/145 A "Cessation of all test explosions of nuclear weapons"
- 35/145 B "Prohibition of all nuclear-test explosions by all States for all time"
- 35/149 "Prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons"
- 35/152 B "Nuclear weapons in all aspects"
- 35/152 C "Nuclear weapons in all aspects"
- 35/152 E "Implementation of the recommendations and decisions of the tenth special session"
- 35/152 G "Paragraph 125 of the Final Document"
- 35/152 J "Report of the Committee on Disarmament"
- 35/154 "Conclusion of an international convention on the strengthening of the security of non-nuclear-weapon States against the use or threat of use of nuclear weapons"
- 35/155 "Conclusion of an international convention to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons"
- 35/156 C "Non-stationing of nuclear weapons on the territories of States where there are no such weapons at present"
- 35/156 F "Study on nuclear weapons"
- 35/156 G "Conclusion of an international convention prohibiting the development, production, stockpiling and use of radiological weapons"
- 35/156 H "Prohibition of the production of fissionable material for weapons purposes"
- 35/156 I "Report of the Committee on Disarmament"

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

"(1) In the Annex to resolution 35/46, paragraph 12 states that all efforts should be exerted by the Committee on Disarmament urgently to negotiate with a view to reaching agreement, and to submit agreed texts where possible before the second special session devoted to disarmament on: (a) a comprehensive nuclear-test-ban treaty; (b) a treaty on the prohibition of the development, production and stockpiling of all chemical weapons and their destruction; (c) a treaty on the prohibition of the development, production and use of radiological weapons; (d) effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, taking into account all proposals and suggestions that have been made in this regard.

"(2) In resolution 35/144 B, operative paragraph 3 urges the Committee on Disarmament to continue, as from the beginning of its session to be held in 1981, negotiations on a multilateral convention 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 4 requests the Committee on Disarmament to report on the results of its negotiations to the General Assembly at its thirty-sixth session.

"(3) In resolution 35/145 A, operative paragraph 4 urges all States members of the Committee on Disarmament: (a) to support the creation by the Committee, upon initiation of its session to be held in 1981, of an Ad hoc working group which should begin the multilateral negotiation of a treaty for the prohibition of all nuclear-weapon tests; (b) to use their best endeavours in order that the Committee may transmit to the General Assembly at its thirty-sixth session the multilaterally negotiated text of such a treaty.

"(4) In resolution 35/145 B, operative paragraph 5 requests the Committee on Disarmament to take the necessary steps, including the establishment of a working group, to initiate substantive negotiations on a comprehensive test ban treaty as a matter of the highest priority at the beginning of its session to be held in 1981; operative paragraph 6 further requests the Committee on Disarmament to determine, in the context of its negotiations on such a treaty, the institutional and administrative steps necessary for establishing, testing and operating an international seismic monitoring network and effective verification system; operative paragraph 7 urges all members of the Committee on Disarmament to co-operate with the Committee in fulfilling its mandate and, to this end, to support the creation of a working group on a comprehensive nuclear test ban; and operative paragraph 8 calls upon the Committee on Disarmament to exert all efforts in order that a draft comprehensive nuclear test-ban treaty can be submitted to the General Assembly no later than at its second special session devoted to disarmament, to be held in 1982.

"(5) In resolution 35/149, operative paragraph 1 requests once again the Committee on Disarmament, in the light of its existing priorities, 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 to draft possible 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-sixth session.

"(6) In resolution 35/152 B, operative paragraph 1 notes the decision of the Committee on Disarmament to resume intensive consideration, at its session to be held in 1981, of the item on the cessation of the nuclear-arms race and nuclear disarmament; operative paragraph 2 believes it necessary to intensify efforts with a view to initiating 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; operative paragraph 3 calls upon the Committee on Disarmament, as a matter of priority and for the purpose of an early commencement of the negotiations on the substance of the problem, to undertake consultations in which to consider, inter alia, the establishment of an ad hoc working group on the cessation of the nuclear-arms race and of nuclear disarmament with a clearly defined mandate; and operative paragraph 4 requests the Committee on Disarmament to report on the results of those negotiations to the General Assembly at its thirty-sixth session.

"(7) In resolution 35/152 C, operative paragraph 1 urges the Committee on Disarmament to establish, upon initiation of its session to be held in 1981, an ad hoc working group on the item which in its agenda for 1979 and 1980, was entitled "Cessation of the nuclear arms race and nuclear disarmament"; and operative paragraph 2 considers that, in the light of the exchange of views held on this subject during the last two annual sessions of the Committee on Disarmament, it would be advisable that the working group begin its negotiations by addressing the question of the elaboration and clarification of the stages of nuclear disarmament envisaged in paragraph 50 of the Final Document of the Tenth Special Session of the General Assembly, including identification of the responsibilities of the nuclear-weapon States and the role of the non-nuclear-weapon States in the process of achieving nuclear disarmament.

"(8) In resolution 35/152 E, operative paragraph 4 recommends that the Committee on Disarmament should concentrate on the substantive and priority items on its agenda with a view to achieving tangible results.

"(9) In resolution 35/152 G, operative paragraph 2 invites the appropriate international bodies in the field of disarmament to continue, in accordance with the Final Document of the Tenth Special Session of the General Assembly, efforts aimed at achieving positive results in curbing the arms race in accordance with the Programme of Action set forth in section III of the Final Document and the Declaration of the 1980s as the Second Disarmament Decade.

"(10) In resolution 35/152 J, operative paragraph 1 urges the Committee on Disarmament to continue or undertake, during its session to be held in 1981, 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 those questions; operative paragraph 2 invites the members of the Committee on Disarmament involved in separate negotiations on specific priority questions of disarmament to intensify their efforts to achieve a positive conclusion of those negotiations without further delay for submission to the Committee and, at the same time, to submit to the Committee a full report on their separate negotiations and the results achieved in order to contribute most directly to the negotiations in the Committee in accordance with paragraph 1; operative paragraph 3 requests the Committee on Disarmament, at its session to be held in 1981, to continue negotiations on the elaboration of a comprehensive programme of disarmament, and to submit the programme in time for consideration by the General Assembly at the second special session devoted to disarmament;

operative paragraph 4 also requests the Committee on Disarmament to intensify its work on priority questions of disarmament, so that it may be in a position to contribute through concrete accomplishments, to a favourable climate for the second special session of the General Assembly devoted to disarmament; and operative paragraph 5 further requests the Committee on Disarmament to submit a report on its work to the General Assembly at its thirty-sixth session.

"(11) In resolution 35/154, operative paragraph 3 requests the Committee on Disarmament to continue on a priority basis, during its session in 1981, the negotiations on the question of strengthening of security guarantees of non-nuclear-weapon States; and operative paragraph 4 calls upon States participating in talks on the question of providing guarantees to non-nuclear States against the use or threat of use of nuclear weapons to make efforts for the speedy elaboration and conclusion of an international convention on this matter.

"(12) In resolution 35/155, operative paragraph 4 recommends that the Committee on Disarmament should actively continue negotiations with a view to reaching agreement and concluding effective international arrangements during its next session to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, 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.

"(13) In resolution 35/156 C, operative paragraph 1 requests the Committee on Disarmament to proceed without delay to talks with a view to elaborating an international agreement on the non-stationing of nuclear weapons on the territories of States where there are no such weapons at present; and operative paragraph 3 requests the Committee on Disarmament to submit a report on the question to the General Assembly at its thirty-sixth session.

"(14) In resolution 35/156 F, operative paragraph 4 recommends that the Committee on Disarmament should take the report of the Group of Experts on a Comprehensive Study on Nuclear Weapons (A/35/392) and its conclusions into account in its efforts towards general and complete disarmament under effective international control, in particular in the field of nuclear disarmament.

"(15) In resolution 35/156 G, operative paragraph 1 calls upon the Committee on Disarmament to continue negotiations with a view to elaborating a treaty prohibiting the development, production, stockpiling and use of radiological weapons and to report on the results to the General Assembly at its thirty-sixth session; and operative paragraph 2 notes in this connection the recommendation of the Ad Hoc Working Group, in the report adopted by the Committee on Disarmament, to set up at the beginning of its session to be held in 1981 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.

"(16) In resolution 35/156 H, 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.

"(17) In resolution 35/156 I, operative paragraph 2 requests the Committee on Disarmament to continue to consider the modalities of the review of the membership of the Committee and to report on this subject to the General Assembly at its thirty-sixth session; operative paragraph 3 recommends that the first review of the membership of the Committee on Disarmament should be completed following appropriate consultations among Member States, during the next special session of the General Assembly devoted to disarmament; and operative paragraph 4 reaffirms that States not members of the Committee, upon their request, should be invited by it to participate in the work of the Committee when the particular concerns of those States are under discussion."

26. By the same letter and in compliance with paragraph 7 of General Assembly resolution 35/156 D, the Secretary-General transmitted to the Committee the study on all the aspects of regional disarmament which is contained in document A/35/416. In accordance with General Assembly resolutions 35/149, 35/152 G, 35/156 C and 35/156 G, the Secretary-General also transmitted to the Committee all documents relevant to the subjects considered by those resolutions.

27. At the 101st plenary meeting of the Committee on 3 February 1981, the Personal Representative of the Secretary-General and Secretary of the Committee conveyed to the Committee a message from the Secretary-General at the opening of the 1981 session (CD/PV.101).

28. The Committee received the following documents concerning various items of the agenda and related matters, the other documents being listed under specific items:

(a) Document CD/141, dated 5 February 1981, submitted by a group of Socialist States, \*/ entitled "Considerations on the Organization of Work of the Committee on Disarmament During its 1981 Session".

(b) Document CD/158, dated 26 February 1981, entitled "Statement on the occasion of the deposit by the Government of the Arab Republic of Egypt of its Instruments of Ratification of the Treaty on the Non-Proliferation of Nuclear Weapons".

(c) Document CD/160, dated 3 March 1981, submitted by the delegation of the Union of Soviet Socialist Republics, entitled "To strengthen peace, deepen détente, and curb the arms race".

(d) Document CD/162, dated 11 March 1981, entitled "Considerations of a group of socialist countries in the Committee on Disarmament concerning negotiations in the Committee on Disarmament on the cessation of the nuclear arms race and nuclear disarmament, and also on the complete and general prohibition of nuclear-weapon tests".

(e) Document CD/165, dated 20 March 1981, submitted by the delegation of Venezuela, entitled "Address given by His Holiness Pope John Paul II at the Peace Memorial Park, Hiroshima, on Wednesday, 23 February 1981".

(f) Document CD/166, dated 23 March 1981, submitted by the delegation of the Union of Soviet Socialist Republics, entitled "Peace, disarmament and international security guarantees".

(g) Document CD/170, dated 31 March 1981, submitted by the delegation of India, entitled "Extracts from the section entitled 'Review of the International Situation' contained in the New Delhi Declaration issued at the conclusion of the Ministerial Conference of Non-Aligned Countries held in New Delhi from 9 to 13 February 1981".

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

(h) Document CD/182, dated 24 April 1981, entitled "Statement of a Group of Socialist countries on the results of the first part of the 1981 session of the Committee on Disarmament".

(i) Document CD/184, dated 15 June 1981, submitted by the delegation of Pakistan, entitled "Resolutions adopted by the Twelfth Islamic Conference of Foreign Ministers held in Baghdad from 1 to 6 June 1981".

(j) Document CD/189, dated 25 June 1981, submitted by the delegation of Mongolia, entitled "Extract from report of Central Committee of the Mongolian People's Revolutionary Party delivered by Yu.Tsedenbal, General Secretary of the Central Committee of the Mongolian People's Revolutionary Party".

(k) Document CD/191, dated 30 June 1981, submitted by the delegation of the Union of Soviet Socialist Republics, entitled "Appeal of the Supreme Soviet of the Union of Soviet Socialist Republics to the Parliaments and peoples of the world".

(l) Document CD/201, dated 30 July 1981, submitted by the delegation of Mongolia, entitled "Appeal of the Great People's Khural of the Mongolian People's Republic to Parliaments of all Asian and Pacific countries".

(m) Document CD/202, dated 30 July 1981, submitted by the delegation of the United States of America, entitled "Announcement made on 16 July 1981 by the President of the United States of America, concerning the non-proliferation and peaceful nuclear co-operation policy of the United States of America".

(n) Document CD/206, dated 6 August 1981, submitted by the delegation of China, entitled "Working Paper: Views on Disarmament and its related questions".

(o) Document CD/211, dated 13 August 1981, submitted by the delegation of Cuba, entitled "Extract from the statement made on 26 July 1981 by Dr. Fidel Castro-Ruz, Chairman of the Councils of States and of Ministers of the Republic of Cuba."

#### A. Nuclear Test Ban

29. The item on the agenda entitled "Nuclear Test Ban" was considered by the Committee, in accordance with its programme of work, during the periods 16-20 February and 22-26 June. The Committee further considered this agenda item during the periods 13-17 April and 3-7 August.

30. The Committee had before it the progress reports on the Eleventh and Twelfth Sessions of the Ad Hoc Group of Scientific Experts to Consider International Co-operative Measures to Detect and Identify Seismic Events (documents CD/150 and CD/210), which met from 3 to 12 February and from 3 to 12 August 1981.

31. In addition, the following documents were presented to the Committee during the year in connection with the item:

(a) Document CD/181, dated 24 April 1981, entitled "Statement by the Group of 21 \*\*/ on item 1 of the agenda of the Committee on Disarmament entitled 'Nuclear Test Ban'".

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

(b) Document CD/192, dated 8 July 1981, entitled "Statement of the Group of 21: Item 1: Nuclear Test Ban".

(c) Document CD/194, dated 13 July 1981, entitled "Statement of a Group of socialist countries concerning a nuclear test ban".

32. The Committee also had before it the relevant parts of document CD/171 of 31 March 1981, entitled "Tabulation of Proposals on Nuclear Disarmament since the First Special Session of the General Assembly devoted to Disarmament", which was prepared by the secretariat at the request of the Chairman of the Committee (CD/PV.116).

33. At its 113th and 147th plenary meetings on 10 March and 18 August 1981, the Committee adopted the recommendations contained in the progress reports on the Eleventh and Twelfth Sessions of the Ad Hoc Group of Scientific Experts to Consider International Co-operative Measures to Detect and Identify Seismic Events. A number of delegations welcomed those reports and commented on them.

34. In accordance with its programme of work for 9-13 February, dealing with the consideration of the question of the establishment of subsidiary bodies on items on the agenda, the Committee held, at the beginning of the first part of the session and subsequently, a number of informal meetings on the establishment of an ad hoc working group on item 1, "Nuclear Test Ban".

35. After informal consultations and following a statement by the Chairman at the 116th plenary meeting on 19 March 1981, on which several delegations expressed views, the Committee devoted two informal meetings to the consideration of item 1, taking into account paragraph 51 of the Final Document of the first special session of the General Assembly devoted to disarmament, in particular the Assembly's recommendation that the trilateral negotiations should be concluded urgently and the result submitted for full consideration by the multilateral negotiating body with a view to the submission of a draft treaty to the General Assembly at the earliest possible date.

36. In accordance with its programme of work for the second part of the session, the Committee considered the establishment of a subsidiary body under item 1 on its agenda between 11 and 19 June, as well as subsequently.

37. At the 137th plenary meeting, on 14 July 1981, at the request of the Group of 21 (document CD/192), the Chairman put before the Committee for decision the proposal contained in document CD/181, on the establishment of an ad hoc working group on item 1 of the agenda. Some delegations made statements in connection with the proposed decision. At the end of the discussion, the Chairman noted that there was at present no consensus on it.

38. At the 140th plenary meeting on 23 July 1981, at the request of a group of socialist countries, the Committee considered document CD/194 dealing, inter alia, with the establishment of an ad hoc working group on item 1 on condition that all nuclear-weapon States took part in it. The Chairman noted that there was also absence of consensus at present on that proposal. Some delegations made statements during the discussion.

39. The Committee recognized once again that among measures in relation to disarmament, a nuclear test ban had always been regarded as a matter of highest priority. While nuclear-weapon States bore special responsibility for the cessation of nuclear weapon tests, all States had a legitimate interest in the very early conclusion of a nuclear test ban treaty that could inspire universal adherence. The Group of 21, a group of

socialist countries and other delegations supported early in February the proposals of the previous year to establish an ad hoc working group, but this did not obtain the consensus of the Committee. Thereafter, on the initiative of the same countries, the Committee decided to hold informal meetings to undertake substantive examination of concrete issues under this item.

40. At the informal meetings held on 6 and 13 April 1981, many delegations expressed views reinforcing previous proposals to proceed at once to negotiations in a working group on the formulation of a draft treaty. Accordingly, on 24 April 1981 the Group of 21 submitted a proposal (CD/181) for the establishment of an ad hoc working group for the purpose of negotiating the provisions relating to the scope, verification of compliance and final clauses of a draft treaty, taking into account existing proposals and future initiatives, as well as the reports on the trilateral negotiations among the Union of Soviet Socialist Republics, the United Kingdom and the United States of America. That proposal also drew attention to the specific questions addressed to the trilateral negotiators during the first part of the session and sought further information concerning the role envisaged by them for the Committee in the multilateral negotiation of a nuclear test ban, as well as on the scope, verification of compliance and other clauses of the treaty they had under negotiation.

41. A number of delegations said that there was an urgent need for the Committee to commence work on a comprehensive test ban. To that end, some explicitly supported the establishment of an ad hoc working group. Several noted that the international situation had not been conducive to reaching agreement on how to proceed on this priority agenda item. Some expressed the view that even if it could agree on nothing else, the Committee should begin to work on institutional arrangements of an international system for exchange of seismic data.

42. During the second part of the session, the Group of 21 requested that the proposal contained in document CD/181 regarding the establishment of an ad hoc working group and the formulation of its mandate, be taken up by the Committee for a formal decision. It was pointed out that joint or separate answers from the tripartite negotiators to the questions raised in CD/181 would be welcome (CD/192).

43. A group of socialist countries made a statement on 13 July (CD/194) advocating that an early conclusion of a treaty on the complete cessation of nuclear weapon tests by all States in all environments for all time would improve the international climate, create favourable conditions for curbing the nuclear arms race and promote the strengthening of the non-proliferation régime. They favoured the establishment of an ad hoc working group for the purpose of concluding such a treaty, with the participation of all nuclear-weapon States which should assume appropriate obligations under the treaty. They appealed for the immediate resumption of the trilateral negotiations between the Union of Soviet Socialist Republics, the United Kingdom and the United States of America with a view to their rapid and successful conclusion. They also recommended that the tripartite negotiators jointly elaborate answers to the questions put to them by the Group of 21 in document CD/181. Furthermore, they considered that the two nuclear-weapon States that did not participate in the above-mentioned negotiations should define more clearly their attitudes to the creation of an ad hoc working group on a nuclear test ban and express their readiness to participate in the negotiation of a treaty and assume their obligations under it.

44. The proposal of the Group of 21 for the establishment of an ad hoc working group contained in document CD/181 was put to the Committee on 14 July at the 137th plenary meeting. Two Western States spoke on this proposal. One nuclear-weapon State explained that the review of its policy concerning nuclear testing, including the question of negotiations on the test ban, had not yet been completed and in the

circumstances it was not in a position to agree to the establishment of a working group. Another nuclear-weapon State reaffirmed its position that the most effective pursuit of a comprehensive test ban treaty was through the continuation of the trilateral negotiations. In regard to the questions posed in CD/181, these two nuclear-weapon States indicated that they had nothing to add to the tripartite report given on 30 July 1980. As regards the further handling of this item, the two nuclear-weapon States said they would be prepared to co-operate in finding alternative ways for the Committee to undertake active consideration of this issue. In the light of these two statements, the Chairman noted that there was for the present no consensus on the proposal.

45. The third participant in the trilateral negotiations, a member of the socialist group, supported the proposal (CD/194) to set up an ad hoc working group to consider the problem of nuclear tests in all their aspects for the sake of the speediest conclusion of a treaty on the complete and general prohibition of nuclear weapons tests with the participation of all the nuclear-weapon States. It also stated its readiness to prepare jointly replies to the questions put to the trilateral negotiators by the Group of 21 and suggested that the necessary consultations among the three negotiating parties be held to that end. It provided replies to some of the questions. It further declared that it attached, at the same time, great importance to the tripartite negotiations and was ready to resume them immediately.

46. Some members reiterated that they did not insist on a joint reply to the questions contained in CD/181 and would welcome individual answers from any of the trilateral negotiators.

47. The delegation of a nuclear-weapon State not participating in the tripartite negotiations recalled that, subject to the terms which might be proposed for its mandate, it would not oppose a consensus on the establishment of an ad hoc working group. For this delegation, a nuclear test ban should be an integral part of an effective process of nuclear disarmament and should be considered in that framework.

48. Another nuclear-weapon State also not participating in the tripartite negotiations stated that it had no objection in principle to the establishment of an ad hoc working group. It held that the banning of nuclear testing would be instrumental in reducing nuclear threats only when carried out in conjunction with the implementation of nuclear disarmament measures.

49. The Group of 21, in document CD/192, had expressed the belief that if it were not possible to reach a positive decision this year on its proposal for the establishment of an ad hoc working group, it might be necessary to examine further steps to be taken to ensure that its Rules of Procedure were not used in such a way as to prevent the Committee from taking procedural decisions enabling it to conduct negotiations on the items included in its annual agenda. Accordingly, five members of that Group presented a proposal in CD/204 to the effect that an addition be made to rule 25 providing that:

"The rule of consensus shall not be used either in such a way as to prevent the establishment of subsidiary organs for the effective performance of the functions of the Committee, in conformity with the provisions of rule 23."

50. The sponsors of the proposal expressed the view that the decision taken this year not to establish a working group under this item had been contrary to the spirit of the rule of consensus. They added that if the same situation were to face the Committee next year also, the proposal to amend rule 25 might have to be formally considered in plenary session by the Committee.

51. At the 140th plenary meeting on 23 July, the Committee considered at their request document CD/194 of a group of socialist countries, and the Chairman noted once again that there was for the present no consensus on the proposal for the establishment of an ad hoc working group.

52. Widespread disappointment was expressed in the Committee at its failure to commence negotiations on a nuclear test ban treaty.

53. The Committee, recognizing that this item is of the highest priority, intends during its next session to pursue efforts towards the conclusion of a nuclear test ban treaty, taking into account the proposals and views presented during the Committee's 1981 session. \*\*\*

#### B. Cessation of the Nuclear Arms Race and Nuclear Disarmament

54. 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 23 February-4 March and 29 June-3 July. The Committee further considered this item during the periods 13-17 April and 3-7 August.

55. The following documents were submitted to the Committee during the session in connection with the item:

(a) Document CD/143, dated 11 February 1981, submitted by the delegation of Mexico, entitled "Working paper on item 2 of the agenda of the Committee on Disarmament for 1981 entitled 'Cessation of the nuclear arms race and nuclear disarmament'".

(b) Document CD/171, dated 31 March 1981, prepared by the Secretariat at the request of the Chairman of the Committee (CD/PV.116); entitled "Tabulation of proposals on nuclear disarmament since the first special session of the General Assembly devoted to disarmament".

(c) Document CD/180, dated 24 April 1981, entitled "Statement by the Group of 21 on item 2 of the agenda of the Committee on Disarmament entitled 'Cessation of the nuclear arms race and nuclear disarmament'".

(d) Document CD/188, dated 17 June 1981, submitted by the delegation of Mexico, entitled "Working paper on item 2 of the agenda of the Committee on Disarmament for 1981 entitled 'Cessation of the nuclear arms race and nuclear disarmament'".

(e) Document CD/193, dated 9 July 1981, submitted by the delegation of the German Democratic Republic, entitled "Considerations on the further proceeding of the Committee on Disarmament concerning item 2 of its agenda".

(f) Document CD/213, dated 13 August 1981, submitted by the delegation of China, entitled "Some viewpoints on the cessation of the nuclear arms race and nuclear disarmament".

(g) Document CD/216, dated 17 August 1981, submitted by the delegation of the Union of Soviet Socialist Republics, entitled "Statement by Tass".

(h) Document CD/219, dated 17 August 1981, entitled "Statement of a group of socialist countries on the need for the urgent establishment in the Committee on Disarmament of an ad hoc working group on the prohibition of the production, stockpiling, deployment and use of nuclear neutron weapons".

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\*\*\* The delegation of the United States pointed out that it was not in a position to state what United States intentions might be regarding this issue at the beginning of the Committee's next session, and therefore it reserved its position on paragraph 53.

(i) Document CD/225, dated 20 August 1981, entitled "Statement of the Ministry of Foreign Affairs of the Republic of Cuba made on 19 August 1981".

(j) Document CD/226, dated 20 August 1981, entitled "Statement of the Ministry of Foreign Affairs of the Mongolian People's Republic".

(k) Document CD/227, dated 20 August 1981, entitled "The Chinese delegation's denial to the Soviet allegation regarding China's position on the question of the neutron bomb".

56. In conformity with its programme of work for 9-13 February, which included the consideration of the question of the establishment of subsidiary bodies on items on the agenda, the Committee held, early in the first part of the session and subsequently, a series of informal meetings on the establishment of an ad hoc working group under item 2.

57. After informal consultations and following a statement by the Chairman at the 116th plenary meeting on 19 March 1981, on which several delegations commented, the Committee devoted two informal meetings to the examination of the prerequisites for negotiations on nuclear disarmament as well as doctrines of deterrence and other theories concerning nuclear weapons.

58. In accordance with the programme of work for the second part of the session, the Committee considered the establishment of a subsidiary body on item 2 of the agenda between 11 and 19 June, as well as subsequently.

59. At the 137th plenary meeting on 14 July 1981, at the request of some delegations, the Chairman submitted to the Committee for decision the proposal contained in document CD/180 on the establishment of an ad hoc working group on item 2 of the agenda, with the mandate to elaborate on paragraph 50 of the Final Document of the first special session of the General Assembly devoted to disarmament and to identify substantive issues for multilateral negotiations. Several delegations made statements in connection with the proposed decision. At the end of the discussion, the Chairman announced that there was no consensus at present for adoption of the proposal in document CD/180.

60. At the 140th plenary meeting on 23 July 1981, at the request of some delegations, the Committee considered document CD/193, which proposed that the Chairman hold consultations on the further proceeding of the Committee concerning item 2. In reporting to the Committee on the results of his consultations, the Chairman noted that some members who were not in a position at present to agree to the establishment of an ad hoc working group were willing to consider the setting up of a contact group to deal with the questions raised in document CD/180 presented by the Group of 21. The Chairman also stated that, in the circumstances and in view of the very limited time available for further discussion of item 2 during the rest of the 1981 session, he was of the opinion that further consultations might be deferred to the beginning of the next annual session. He also expressed the hope that interested delegations would informally exchange views with one another on how the Committee might proceed further during the next session. The Committee agreed to the recommendation of the Chairman. Some delegations commented subsequently on the subject under consideration.

61. At the 148th plenary meeting on 20 August 1981, at the request of some delegations, the Chairman submitted to the Committee for decision the proposal contained in document CD/219 on the establishment of an ad hoc working group on the prohibition of the production, stockpiling, deployment and use of "nuclear neutron weapons". Several delegations made statements in connection with the proposed decision and the Chairman announced that there was no consensus for the adoption of the proposal contained in document CD/219.

62. Several delegations expressed grave concern over the continuing nuclear arms race, the risks inherent in doctrines of nuclear deterrence and the danger of the outbreak of nuclear war, which would threaten the survival of mankind. They urged that the Committee should, as a matter of the highest priority, initiate negotiations on concrete measures relating to item 2 of its agenda. Other delegations, while emphasizing their belief that efforts should be made to reduce tension and the level of nuclear confrontation, expressed the view that the existence of nuclear weapons had been a critical factor in preserving stability in a large part of the world for many years. They believed that negotiations on matters of nuclear disarmament should be undertaken initially by the nuclear-weapon States concerned, and drew attention to the complexities of undertaking such negotiations in the Committee as a whole.

63. At the beginning of the session, the Group of 21 reiterated its proposal for the setting up of an ad hoc working group to undertake multilateral negotiations on the elaboration of the stages of nuclear disarmament envisaged in paragraph 50 of the Final Document of the first Special Session on disarmament, the clarification of issues involved in reliance on doctrines of nuclear deterrence and in the prohibition of the use of nuclear weapons as well as measures to ensure an effective discharge by the Committee on Disarmament of its role as the single multilateral negotiating body in the field of disarmament and its relationship with negotiations in other forums concerning this item (CD/116).

64. As this proposal did not secure consensus in the Committee, it was decided to hold informal meetings of the Committee to undertake a substantive examination of the concrete issues involved in respect of this item. Taking into account various proposals, it was recommended by some socialist countries and agreed on 19 March 1981, that informal meetings should consider, inter alia, the prerequisites for negotiations on nuclear disarmament as well as doctrines of deterrence and other theories concerning nuclear weapons. In agreeing to the decision to hold informal meetings, the Group of 21 expressed the view that substantive discussions should aim at clarifying concrete issues and concepts that could usefully facilitate multilateral negotiations in the Committee on Disarmament on nuclear disarmament.

65. At the informal meetings held on 23 and 30 March 1981 the complex character of this item involving security concerns and strategic doctrines, the wide range of the difficult issues it encompasses, its relationship to the international situation and the need for urgent action to reduce tensions and eliminate the danger of nuclear war were generally acknowledged. The discussions, inter alia, referred to consultations and preparations for multilateral negotiations, the importance of political will to engage in them, and the risks involved in the nuclear arms race, deterrence policies, and the use of nuclear weapons. Some delegations criticized doctrines of deterrence as tending to escalate the nuclear arms race and increase the risk of nuclear war. Many members stressed that international peace and security would be considerably enhanced by the cessation of the nuclear arms race and measures of nuclear disarmament, including the non-use of nuclear weapons.

66. Certain nuclear-weapon States expressed the view that nuclear disarmament should take place as part of a general process of disarmament involving conventional armaments and armed forces in their entirety. Otherwise, serious military, and hence, political destabilization could result. They considered that this process of disarmament could not be isolated from the security requirements of States and from the international political and military situation. In their view the first aim of the maintenance of a military capacity, including nuclear capacity, was to prevent war by demonstrating the ability to defend a State against any level of potential attack, and convincing an adversary that the risks of launching such an attack far outweighed the potential benefits. They considered that in this way deterrence had served and continued to serve as an essential component in maintaining equilibrium between the two major military alliances, and thereby contributed to stability on a global scale.

67. A nuclear-weapon State expressed its views on issues related to the prevention of nuclear war, limitation of the nuclear arms race, and nuclear disarmament, setting forth the contents of the specific proposals on these issues as reflected in document CD/160. It also drew attention to the utmost importance of the General Assembly's resolution on the non-use of force in international relations concurrently with the prohibition of the use of nuclear weapons for all time.

68. In connection with the consideration of the item, the Secretary-General's report, "Comprehensive Study on Nuclear Weapons" (A/35/392), was taken into account.

69. Attention came to be focused on the nature of the multilateral action that should be taken by the Committee. It was the position of some delegations that this item provided relatively little scope for useful work by the Committee at the present time. While recognizing the widespread concern at the present levels of nuclear stockpiles, they considered that the most effective route to nuclear arms control lay through negotiations between the nuclear powers, particularly the United States and the Soviet Union, since the only States which could effectively contribute to controlling the nuclear arms race were those in a position to undertake obligations to control or reduce their nuclear armouries. They also stressed their view that it still was not clear what subjects were suitable for negotiations in the Committee on nuclear disarmament.

70. The Group of 21 put forward the view that doctrines of nuclear deterrence, far from being responsible for the maintenance of international peace and security, lie at the root of the nuclear arms race and lead to greater insecurity and instability in international relations. It held that the competitive accumulation of nuclear arms by the nuclear-weapon States could not be condoned on grounds that it is indispensable to their security. Moreover, the Group of 21 also rejected as politically and morally unjustifiable that the security of the whole world should be made to depend on the state of relations existing among nuclear-weapon States.

71. In the opinion of the Group of 21, the existence of nuclear weapons in the arsenals of a handful of Powers and the continued escalation in the nuclear arms race directly and fundamentally jeopardized the vital security interests of all States and enhanced the risks of a nuclear war, which would endanger the survival of mankind. All States therefore had, in its view, a right to participate in negotiations on nuclear disarmament, even though bilateral and other regional negotiations on such issues may be useful and should be intensified. For this reason, it was convinced that multilateral negotiations on concrete measures of nuclear disarmament such as those identified in CD/116 should be initiated without delay and that the Committee on Disarmament provided the most appropriate forum for this purpose.

72. A group of socialist States, while lending full support for the establishment of a working group, drew attention to their own proposals (CD/4) for starting negotiations on ending the production of nuclear weapons and destroying them and also for the holding of consultations by way of preparations for such negotiations. In their opinion, any attempt to launch a preventive nuclear strike was bound to provoke a no less powerful retaliatory attack and no region would be spared from the consequences of the ensuing nuclear conflict. No task was therefore more important than the prevention of nuclear war. It was their belief that cessation of the production, reduction and elimination of nuclear weapons should be implemented on a stage-by-stage, mutually acceptable and agreed basis, and the degree of participation by nuclear-weapon States in the various measures under each stage should be determined with due regard for

the quantitative and qualitative significance of the existing arsenals of the nuclear-weapon States and of other States concerned. The present balance of nuclear arms should, in their view, remain undisturbed at all stages during the gradual lowering of the levels of arsenals, and the security of all States should remain undiminished. The measures for the limitation of the nuclear arms race and for nuclear disarmament should be linked to the strengthening of the political and legal guarantees of the security of States. As one of the measures in this connection, they proposed that there should be no deployment of nuclear weapons on the territories of States where there are no such weapons at present. They expressed their continued readiness to begin negotiations on the whole spectrum of issues concerning nuclear disarmament.

73. The delegation of a nuclear-weapon State expressed the view that the question of the cessation of the nuclear arms race and nuclear disarmament was dominated by two fundamental realities. First, nuclear weapons were to an overwhelming degree in the hands of two powers and secondly, the existence of nuclear weapons was a fundamental element of balance and hence of security in a certain region of the world. Any progress towards the halting of the nuclear arms race and then towards nuclear disarmament therefore depended on a two-fold effort, which had already begun:

- (a) that of the two Powers, which should agree on the definition of balance and on ceilings and then, at a later stage, on the gradual lowering of those ceilings;
- (b) the effort to be made within the geographical area of Europe to improve conditions of security and confidence and then gradually to reduce the level of conventional weapons. The objectives sought in the one case as in the other were very closely allied, for an over-all balance was inseparable from balance in the European theatre. It was that two-fold balance which provided the deterrent effect. On both sides, it results from both nuclear and conventional components. Deterrence did not in principle imply an attempt to achieve superiority, nor did it therefore imply an arms race and the risks of destabilization arising therefrom. On the contrary, the maintenance of deterrence normally led to endeavours to eliminate or prevent destabilizing effects; and it should be compatible with the halting of the nuclear arms race and with the gradual reduction of such weapons. In view of the disproportion among nuclear arsenals, it was only after a radical reduction of armaments by the two major Powers that the other nuclear-weapon States could accept undertakings concerning the reduction of their own armaments.

74. Other delegations stated that neither the concept of balance nor of deterrence, however conceived, could ensure peace and security either regionally or globally. Recourse to nuclear weapons as a means to offset perceived asymmetries in conventional armaments was considered by them as untenable, in view of the fact that nuclear weapons, which are weapons of mass destruction, could not be equated with conventional armaments. They also warned that such doctrines could also provide justification for the introduction of nuclear weapons in other regions of the world.

75. A group of socialist countries, while opposing attempts to upset the existing military-strategic balance, did not in any way consider that that balance, with a high level of military confrontation, should be maintained in the future. The purpose of the entire policy of those countries in matters of disarmament was to strive for a reduction in the level of military confrontation and to promote general and complete disarmament under effective international control. They considered that the genuine security of States, as well as international security in general, could be guaranteed not by continuing the arms race but by limiting it.

76. It was pointed out by one delegation that some States, while opposing the theories of deterrence, in fact practised them.

77. The view was expressed that there existed a wide gap in the size and quality of the armaments of nuclear-weapon States with the largest stockpiles of nuclear weapons and other nuclear-weapon States. The former should therefore first take the lead in drastically reducing their nuclear armaments, thereby creating favourable conditions for other nuclear-weapon States to join them in a further reduction of nuclear armaments according to rational procedures and ratios.

78. In making an assessment of these informal meetings, the Group of 21, in document CD/180, expressed the conviction that the need for urgent multilateral action on the cessation of the nuclear arms race and nuclear disarmament, through the negotiation and adoption of concrete measures, had once again been amply demonstrated. In the light of this assessment, the Group of 21 urged that the Committee on Disarmament should continue and intensify the search for a common approach that would enable it to discharge the mandate entrusted to it by the United Nations General Assembly in the field of disarmament.

79. The substantive examination of concrete issues, however, did not yield any agreement on an acceptable basis for multilateral negotiations or on the prerequisite for such negotiations.

80. The Committee took up again during the second part of its session between 11 and 19 June the consideration of the establishment of a subsidiary body for further handling of this item. The formal proposal of the Group of 21 contained in CD/180 for an ad hoc working group was then submitted to the Committee for decision on 14 July 1981, and there was for the present no consensus in favour of it. It was explained by one nuclear-weapon State that the item "Cessation of the nuclear arms race and nuclear disarmament" embraced a broad spectrum of issues and measures, any one of which posed enormously complex negotiating problems. According to it, the matters proposed for inclusion in the mandate of the proposed working group were already under consideration in other working groups. However, it was prepared, together with other delegations, to co-operate in finding alternative ways for the handling of this item including the holding of informal meetings, in place of a separate working group.

81. Another nuclear-weapon State, together with a group of socialist countries, supported the proposal for a working group and favoured immediate commencement of negotiations on the cessation of the nuclear arms race and nuclear disarmament. Some delegations expressed the view that, without prejudice to the role and responsibilities of the Committee, questions relating to nuclear weapons limitation and reduction were primarily matters of a bilateral and regional nature and came within the competence of the directly concerned States, which should undertake negotiations in the first instance.

82. Some delegations stressed the usefulness of the discussions which took place in the informal meetings. They considered that, at this stage, such a method remained appropriate for the substantive consideration of these issues by all members of the Committee on Disarmament with the participation of the five nuclear-weapon States.

83. At the request of a group of socialist States, the Committee considered on 23 July their proposal in CD/193 and agreed that the Chairman hold consultations on the further proceeding of this item. The Chairman's consultations revealed that the members who were not in a position to agree to the setting up of a working group were willing to consider the establishment of a contact group to deal with the questions raised in document CD/180 presented by the Group of 21. In view of the limited available time, the Chairman advised that further consultations might be deferred till the beginning of the next session and the Committee agreed. Some

delegations who had proposed the creation of an ad hoc working group reserved the right to revert to their proposal at the next session. Some other delegations held that those who could not agree to the establishment of a working group should come forward with proposals they deemed essential for furthering the work of the Committee under this item. In this context, many delegations held the view that the momentum created by the exchange of views at the informal meetings should not be lost, and all possibilities of the Committee should be appropriately used.

84. It was stressed by all members that acts of aggression, expansion, foreign occupation and other violations of the Charter of the United Nations have an adverse impact on negotiations on disarmament, including nuclear disarmament. In the context of promoting the goals of disarmament, the necessity of eliminating such manifestations and of resolving existing international disputes through negotiations was underlined.

85. 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 1981 session of the Committee.

86. The question of the nuclear neutron weapon was raised several times by delegations in the course of the 1981 session. Some delegations denounced the decision in August of the United States Government to begin production of nuclear neutron weapons and considered it a challenge to world opinion which had been demanding nuclear disarmament. In their view, this new weapon would increase the danger of nuclear war, exacerbate the threat of a new qualitative leap in the arms race and gravely complicate the solution of disarmament problems. In this connection, a group of Socialist States called upon the Committee to initiate without delay negotiations on the elaboration of a convention prohibiting the production, stockpiling, deployment and use of nuclear neutron weapons and to set up within the Committee an Ad Hoc Working Group to that end (CD/219). The draft of such a Convention had been submitted by a group of Socialist States in 1978 (in document CCD/559). These socialist countries emphasized that they advocated the prohibition of nuclear neutron weapons in the form of an international treaty.

87. Some delegations stated that the exchange of views on the proposal in document CD/219 had re-enforced their view of the necessity of establishing an Ad Hoc Working Group to negotiate on the cessation of the nuclear arms race and nuclear disarmament, as proposed by the Group of 21 (CD/116 and CD/180) in the first instance on measures to halt and reverse the qualitative and quantitative development of nuclear weapons.

88. One delegation, referring to various factors surrounding the build-up of armaments of the two major nuclear Powers, considered the issue of the nuclear neutron weapon to be a product of the nuclear arms race between them.

89. Some delegations stressed that since the enhanced radiation weapon was only one particular type of nuclear weapon it fell within the general problem of the nuclear arms race and nuclear disarmament. There was therefore no reason for giving it special treatment or for making specific provisions with respect to it in treaty form. Thus the establishment of a working group for the purpose of negotiations on that subject appeared unjustified.

90. One delegation expressed concern about the present and potential escalation in the nuclear arms race in its quantitative and qualitative aspects including the deployment of the SS-20 mobile missile and the production of the enhanced radiation weapon. It stated that the present was not the time for self-serving postures or proposals but for wise statesmanship. It proposed that the Committee should issue an urgent appeal to the United States and USSR to open early negotiations to halt and reverse the escalation in their nuclear arms race in its quantitative and qualitative terms.

91. In answer to this, attention was directed to the statement of the highest leadership of one State, which belongs to the Group of Socialist States, to discontinue the deployment of its medium-range missiles in the European part of its territory on the same day when negotiations on the substance of this question will begin, on condition that the other side acts likewise. Moreover, reference was made to the numerous concrete proposals in the sphere of curbing the arms race and disarmament made by this State including those made in the Committee.

92. Some delegations, in opposition to the views expressed concerning the effect of this weapon, recalled that in 1978 the United States Government had not proceeded with the manufacture and deployment of the weapon, and they stated that the recent decision was related to developments in the deployment of forces particularly in the European theatre. According to them, this weapon, which is properly referred to as an enhanced-radiation/reduced blast weapon, had been designed not to make nuclear war more thinkable, but to make aggression less so. It was designed and intended, for maintenance of deterrence against mass-armoured attack. They rejected categorically the view that this weapon would make it easier to cross the threshold into nuclear war. In their view, for this and other reasons, it was not necessary to establish urgently the proposed Ad Hoc Working Group to deal separately with this particular nuclear weapon.

93. A group of socialist countries re-affirmed that the introduction of this weapon essentially lead to a lower nuclear threshold and increased the possibility of the escalation of an armed conflict to the level of an all-out nuclear war.

94. At the 148th Plenary Meeting the Committee considered the proposal in document CD/219 concerning the urgent establishment of an Ad Hoc Working Group and the Chairman declared that there was no consensus in favour of the proposal and therefore it was not adopted.

C. Effective International Arrangements to Assure Non-Nuclear-Weapon States Against the Use or Threat of Use of Nuclear Weapons

95. 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, from 16 to 20 March and from 27 to 31 July. The Committee further considered this item during the periods 13 to 17 April and 3 to 7 August.

96. The following new documents were before the Committee in connection with the item:

(a) Document CD/153, dated 18 February 1981, submitted by the delegation of Bulgaria, entitled "Working Paper: Effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons".

(b) Document CD/161, dated 4 March 1981, submitted by the delegation of Pakistan, entitled "Working Paper: Effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons".

(c) Document CD/176, dated 10 April 1981, submitted by the Union of Soviet Socialist Republics, entitled "Reply of the 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, Leonid Brezhnev, to the question put by the Greek newspaper Ta Nea".

(d) Document CD/177, dated 10 April 1981, submitted by the delegation of the United Kingdom, entitled "Working Paper on the subject of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons".

(e) Document CD/207, dated 6 August 1981, submitted by the delegation of China, entitled "Working Paper on the question of security assurances".

97. At its 105th plenary meeting on 12 February 1981, the Committee decided to re-establish, for the duration of its 1981 session, the Ad Hoc Working Group on Effective International Arrangements to Assure Non-Nuclear-Weapon States Against the Use or Threat of Use of Nuclear Weapons, which had been established on 17 March for its 1980 session, so that it might continue its work on the basis of its former mandate. 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 1981 session (document CD/151).

98. At its 107th plenary meeting of 17 February 1981, the Committee also decided to nominate the Deputy Permanent Representative of Italy as Chairman of the Ad Hoc Working Group.

99. At the 127th plenary meeting on 24 April 1981, the Chairman of the Ad Hoc Working Group made a statement reporting on the activities of the Ad Hoc Working Group during the first part of the annual session.

100. The Ad Hoc Working Group held 23 meetings between 17 February and 13 August 1981, 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/215).

101. At its 148th plenary meeting on 20 August 1981, 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

"At its 105th plenary meeting, on 12 February 1981, the Committee on Disarmament adopted the following decision, relating to item 3 on its agenda, contained in document CD/151, inter alia:

....

The Committee further decides to re-establish, for the duration of its session, the ad hoc working groups on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, chemical weapons and radiological weapons, which were established on 17 March for its 1980 session, so that they may continue their work on the basis of their former mandates.

It is understood that the Committee will, as soon as possible, review the mandates of the three ad hoc working groups with a view to adapting, as appropriate, their mandates to advance the progress of the process of negotiation towards the objective of concrete disarmament measures.

....

The ad hoc working groups will report to the Committee on the progress of their work at any appropriate time and in any case before the conclusion of its 1981 session.'

## "II. Organization of Work and Documentation

"At its 107th plenary meeting, on 17 February 1981, the Committee on Disarmament appointed Minister Antonio Ciarrapico, representative of Italy, as Chairman of the Ad Hoc Working Group. Dr. Lin Kuo-Chung, United Nations Centre for Disarmament, served as Secretary of the Ad Hoc Working Group.

"The Ad Hoc Working Group held 23 meetings between 17 February and 21 April and between 16 June and 13 August 1981.

"On 24 April 1981, the Chairman of the Working Group presented orally to the Committee on Disarmament at its 127th plenary meeting his summary account of the work of the Working Group during the first part of the 1981 session (CD/PV.127).

"At their request, the Committee on Disarmament, at its 109th plenary meeting on 24 February 1981, its 113th plenary meeting on 10 March 1981 and its 122nd plenary meeting on 1 April 1981, decided to invite the representatives of following States not members of the Committee to participate in the meetings of the Ad Hoc Working Group: Switzerland, Finland, Austria and Spain.

"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". During the course of its work, the Working Group also took into account other relevant paragraphs of the Final Document.

"The Ad Hoc Working Group also took note of the letter of the Secretary-General in document CD/140, transmitting resolutions adopted by the General Assembly at its thirty-fifth session, and took note in particular of resolutions 35/154 and 35/155, as well as resolution 35/46 which was also relevant to the subject. Paragraphs 3 and 4 of resolution 35/154 read as follows:

13. Requests the Committee on Disarmament to continue on a priority basis, during its session in 1981, the negotiations on the question of strengthening of security guarantees of non-nuclear-weapon States;

4. Calls upon States participating in talks on the question of providing guarantees to non-nuclear States against the use or threat of use of nuclear weapons to make efforts for the speedy elaboration and conclusion of an international convention on this matter.'

Paragraph 4 of resolution 35/155 reads as follows:

'4. Recommends that the Committee on Disarmament should actively continue negotiations with a view to reaching agreement and concluding effective international arrangements during its next session to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, 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 12 of the Annex to resolution 35/46, which contains the Declaration of the 1980s as the Second Disarmament Decade, states, inter alia:

'12. .... All efforts should be exerted, therefore, by the Committee on Disarmament urgently to negotiate with a view to reaching agreement, and to submit agreed texts where possible before the second special session devoted to disarmament on:

.....

(d) Effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, taking into account all proposals and suggestions that have been made in this regard.'

"In addition to the official documents of the Committee on Disarmament submitted under item 3 on its agenda (namely CD/153, CD/161, CD/176, CD/177, CD/184 and CD/207) and the previous documents before the Ad Hoc Working Group which are listed in document CD/SA/WP.1/Rev.2,<sup>1/</sup> the following documents were submitted for consideration during the 1981 session:

(a) A working paper submitted by the Chairman, entitled 'Stages of consideration of the substance of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons' (CD/SA/CRP.4/Rev.1 and 2; CD/SA/WP.5) <sup>2/</sup>;

(b) A working paper submitted by the Chairman, entitled 'Identification of the various features of the assurances not to use or threaten to use nuclear weapons against non-nuclear-weapon States' (CD/SA/CRP.5) and its revised version (CD/SA/CRP.5/Rev.1):

(c) A working paper submitted by the Netherlands containing a suggested 'common formula' for negative security assurances to be incorporated in a Security Council resolution (CD/SA/CRP.6) (CD/SA/WP.6) <sup>3/</sup>;

(d) A working paper submitted by Pakistan containing proposals in connection with Alternative D in Stage Two of document CD/SA/WP.5 (CD/SA/CRP.7) (CD/SA/WP.7) <sup>4/</sup>;

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<sup>1/</sup> See Annex A of this report.

<sup>2/</sup> Document CD/SA/CRP.4/Rev.2 was subsequently issued as CD/SA/WP.5; see Annex B to this report.

<sup>3/</sup> Document CD/SA/CRP.6 was subsequently issued as CD/SA/WP.6.

<sup>4/</sup> Document CD/SA/CRP.7 was subsequently issued as CD/SA/WP.7.

(e) A working paper submitted by Bulgaria containing considerations in connection with 'Alternative D (Stage Two, document CD/SA/WP.5)' and the suggestions made under it (CD/SA/CRP.8 and Corr.1) (CD/SA/WP.8); 5/

"In addition, the Secretariat also prepared a document entitled '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-fifth session of the General Assembly', as listed in CD/SA/WP.1/Rev.2."

### "III. Substantive Negotiations

"In carrying out the task entrusted to it, the Working Group particularly bore in mind the recommendation contained in paragraph 18 of the report of the previous ad hoc working group established during 1980 session (CD/125\*) which stated that: '....., 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'. It took note of the extensive discussions on the subject and intensive negotiations on the elements during the previous ad hoc working group with a view to reaching agreement on a common approach. It also recalled the recognition that the search should continue for a common approach acceptable to all which could be included in an international instrument of a legally binding character.

"In the conduct of its work, the Ad Hoc Working Group decided to concentrate essentially its attention on the examination of the substance of the assurances given on the understanding that an agreement on the substance could facilitate an agreement on form. Accordingly, a programme of work (CD/SA/WP.5) was submitted by the Chairman as a general guideline for deliberations and negotiations, taking into account various views expressed and proposals submitted. It contained principally two stages of work for the current session, namely, (1) stage one: identification of the various features of the assurances not to use or threaten to use nuclear weapons against non-nuclear-weapon States; (2) stage two: consideration of possible alternatives which can be explored in the search for a 'common approach' or 'formula'.

"In pursuance of the objective outlined in stage one of the programme of work, various views were expressed and different proposals, including some tabulations and outlines, were submitted during the course of deliberations with a view to identifying systematically those elements contained in the undertakings assumed by nuclear-weapon States and in the proposals made by non-nuclear-weapon States, as contained in document CD/SA/WP.2. In this process and in order to facilitate the work of the Working Group, the Chairman produced working papers (CD/SA/CRP.5 and Rev.1) in which he attempted to synthesize the views and positions held by delegations. It was generally felt that deeper understanding of the various positions, their similarities and differences, had been reached as a result of the discussion.

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5/ Document CD/SA/CRP.8 and Corr.1 was subsequently issued as CD/SA/WP.8.

"In carrying out the task outlined in stage two of the programme of work (CD/SA/WP.5) the Working Group examined thoroughly, in the manner of a comparative analysis, possible alternatives for a 'common approach' or 'formula' with a view to concentrating efforts on the most promising among them.

"During the course of in-depth analysis of the above-mentioned alternatives in paragraph 10, the following positions and ideas, relating to effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons (also referred to as security assurances or security guarantees), were advanced or reaffirmed in the Working Group by various delegations:

- since any use of nuclear weapons, which constitute the greatest threat to humanity, would affect the security of belligerents and non-belligerents alike there should be a complete prohibition on the use of nuclear weapons, pending the achievement of nuclear disarmament. In this connection a view stated was that the use of nuclear weapons should be prohibited concurrently with the renunciation of the use of force in international relations; another view was expressed that a complete prohibition of the use of nuclear weapons could be envisaged only in the framework of an effective process of nuclear disarmament as part of progress towards general disarmament;
- the extension of security assurances to non-nuclear-weapon States against the use or threat of use of nuclear weapons without any conditions or limitations as an integral part of and initial step towards the complete prohibition of the use of nuclear weapons and the achievement of nuclear disarmament;
- the extension of security assurances to non-nuclear-weapon States which have no nuclear weapons on their territory;
- the extension of security assurances to those States which renounce the production and acquisition of nuclear weapons and do not have them on their territories. In this connection, a view was expressed that reaching an agreement on non-stationing of nuclear weapons on the territories of States where there are no such weapons at present would be a step conducive to the strengthening of the security of non-nuclear-weapon States;
- the extension of security assurances to non-nuclear weapon States parties to the Non-Proliferation Treaty or any other comparable internationally binding commitment not to acquire nuclear explosive devices, except in the case of an attack on the nuclear-weapon State extending the assurance, its territories or armed forces or allies by such a State allied to, or associated with, a nuclear-weapon State in carrying out or sustaining the attack;

- the extension of security assurances to any non-nuclear-weapon State that has committed itself not to manufacture or receive nuclear weapons (or other nuclear explosive devices) or to acquire control over them provided that that State does not undertake, or partake in, an attack upon (the territory or the armed forces of) a nuclear-weapon State or its allies with the support of another nuclear-weapon State;
- the extension of security assurances to non-nuclear-weapon States not parties to the nuclear security arrangements of some nuclear Powers;
- the extension of security assurances by means of concluding conventions with non-nuclear-weapon States parties to a nuclear-free zone, in order to give these assurances a mutually binding character.

"Without prejudice to further exploration of other alternatives, which could be elaborated in the future, the Working Group decided to concentrate its efforts, at this stage of consideration, on Alternative D in conjunction with Alternative E contained in Stage Two of the programme of work. <sup>6/</sup> These alternatives called for 'a "common formula" for security assurances containing such elements as may be raised in the negotiations in the Committee on Disarmament and agreed upon by all concerned' and 'a "common formula" which could reconcile the elements contained in the existing unilateral undertakings of the nuclear-weapon States'. In this connection, a working paper (CD/SA/WP.6) was submitted by the delegation of the Netherlands which contained a draft 'common formula' for negative security assurances to be incorporated in a Security Council resolution. The delegation of Pakistan also proposed, without prejudice to its own position, three alternatives (CD/SA/WP.7) as a basis for further consideration of a 'common formula', together with additional elements relating to the prohibition of the use of nuclear weapons and to nuclear disarmament. With reference to those two working papers the delegation of Bulgaria submitted a working paper (CD/SA/WP.8) containing comments concerning the formulations proposed as well as some queries with regard to the appropriate direction of the search. The discussion of those proposals focused on their main elements and included in-depth consideration of proposals related to the eligibility for the assurances and of the desirability and the nature of a possible 'suspension clause'.

"Different approaches to the question of developing a 'common formula' became apparent in the discussions. Under one approach the nuclear-weapon States would provide assurances to all non-nuclear-weapon States without any conditions, qualifications or limitations. Under another approach various criteria would be provided to describe the non-nuclear-weapon States included in the scope of the assurances. Divergent views on these approaches and criteria continued to be maintained.

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<sup>6/</sup> See Annex B of this report.

"Divergent views were expressed concerning the circumstances in which security assurances could be suspended and on whether or not such suspension should be provided for.

"In considering the possible 'common approach' or 'formula', the question of an appropriate form was also raised. Although there was no objection, in principle, to the idea of an international convention, the difficulties involved were also pointed out. Furthermore, the idea of interim arrangements was considered, particularly taking note of the proposals for an appropriate Security Council resolution on which divergent views were expressed. At the same time, it was pointed out that the value of any interim arrangement would depend on its substance. A number of delegations believed that interim measures should not be a substitute for an international convention or other international arrangements of a legally binding character.

#### "IV. Conclusions and Recommendations

"The Working Group reaffirmed that non-nuclear-weapon States should be effectively assured by the nuclear-weapon States against the use or threat of use of nuclear weapons. 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, especially in view of the goal of nuclear disarmament and of general and complete disarmament. Negotiations on the substance of the effective arrangements revealed that specific difficulties were related to differing perceptions of some nuclear and non-nuclear-weapon States as well as to the complex nature of the issues involved in evolving a 'common formula' acceptable to all which could be included in an international instrument of a legally binding character. The Working Group recognized that adequate consideration needed to be given to the security interests of non-nuclear-weapon States. It regarded the efforts devoted to the search for a 'common approach' or 'formula' as a positive step towards the agreement on the question of security assurances.

"Against this background, the Working Group recommends to the Committee on Disarmament that various alternative approaches, including in particular those considered during the 1981 session, should be further explored in order to overcome the difficulties encountered. In this context further efforts should be devoted to the search for a 'common approach' acceptable to all, and in particular for a 'common formula' which could be included in an international instrument of a legally binding character. Accordingly, a working group should be established at the beginning of the 1982 session for the purpose, as recommended in United Nations General Assembly resolution 35/46, referred to in paragraph 7 above, 'urgently to negotiate with a view to reaching agreement, and to submit agreed texts where possible before the second special session devoted to disarmament', 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/75 - submitted by Finland, 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'. (14 March 1980)
- (9) 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)
- (10) CD/120 - submitted 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'". (17 July 1980)

- (11) CD/125\* - Report of the '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' to the Committee on Disarmament. (7 August 1980)
- (12) CD/140 - containing General Assembly resolutions 35/154 and 35/155. (3 February 1981)
- (13) CD/151 - containing a decision of the Committee on Disarmament to re-establish the Ad Hoc Working Group on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons under its former mandate during 1980 session. (13 February 1981)
- (14) CD/153 - submitted by Bulgaria, entitled 'Effective International Arrangements to Assure Non-nuclear-weapon States against the Use or Threat of Use of Nuclear Weapons'. (18 February 1981)
- (15) CD/161 - submitted by Pakistan, entitled 'Effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons'. (4 March 1981)
- (16) CD/176 - submitted by USSR, entitled 'Letter dated 7 April 1981 addressed to the Chairman of the Committee on Disarmament from the Representative of the Union of Soviet Socialist Republics transmitting the reply of the 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, Leonid Brezhnev, to the question put by the Greek newspaper, Ta Nea'. (10 April 1981)
- (17) CD/177 - submitted by the United Kingdom, entitled 'United Kingdom working paper on the subject of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons'. (10 April 1981)
- (18) CD/184 - submitted by Pakistan, entitled 'Letter dated 12 June 1981 from the Permanent Representative of Pakistan addressed to the Chairman of the Committee on Disarmament transmitting resolutions adopted by the Twelfth Islamic Conference of Foreign Ministers held in Baghdad from 1 to 6 June 1981', containing 'Resolution No. 28/12-P: Strengthening the security of non-nuclear States against the use or threat of use of nuclear weapons'. (15 June 1981)

"II. Working papers of the ad hoc working group on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons"

- (1) CD/SA/WP.1 - 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. (25 April 1980 and 20 February 1981)

- (2) CD/SA/WP.2 - submitted 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'. (25 June 1980)
- (3) CD/SA/WP.3 - submitted by Pakistan, entitled "Possible draft resolution 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'". (15 July 1980)
- (4) CD/SA/WP.4 - submitted by Bulgaria, entitled 'Forms of arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons'. (17 July 1980)
- (5) CD/SA/WP.5 - submitted by the Chairman, entitled 'Stages of consideration of the substance of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons'. (26 March 1981)
- (6) CD/SA/WP.6 - submitted by the Netherlands, containing a suggested 'common (CD/SA/CRP.6) formula' for negative security assurances to be incorporated in a Security Council resolution. (8 July 1981)
- (7) CD/SA/WP.7 - submitted by Pakistan, containing proposals in connection with Alternative D in Stage Two of document CD/SA/WP.5. (CD/SA/CRP.7) (13 July 1981)
- (8) CD/SA/WP.8 - submitted by Bulgaria, containing consideration in connection with "Alternative D, Stage Two, document CD/SA/WP.5" and (CD/SA/CRP.8 and Corr.1) the suggestions made under it. (21 July 1981)

"III. 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 supplements to the Compilation:
  - (i) 'Proposal of the United States of America on strengthening confidence of non-nuclear-weapon States in their security against the use or threat of use of nuclear weapons' (A/C.1/33/7, 17 November 1978);
  - (ii) General Assembly resolution 2936 (XXVII): Non-use of force in international relations and permanent prohibition of the use of nuclear weapons;
  - (iii) 'Working paper containing a draft additional protocol to the Treaty on the Non-Proliferation of Nuclear Weapons regarding the establishment of a system of security assurances within the framework of the Treaty' (NPT/CONF/22, 15 May 1975);
  - (iv) Declarations made by the United Kingdom, China, France, United States of America and Union of Soviet Socialist Republics regarding Protocol II of the Treaty of Tlatelolco.

"IV. 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

"V. 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-fifth session of the General Assembly

"VI. Unofficial transcriptions of the proceedings of the ad hoc working groups on security assurances

- (1) Unofficial transcriptions of seven meetings of the ad hoc working group during 1979.

"CHAIRMAN'S WORKING PAPER

"Stages of consideration of the substance of effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons"

It is to be noted that in the report of the previous Ad Hoc Working Group it was pointed out that an agreement on the substance of the arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons could facilitate the agreement on the form of the arrangements.

Bearing this in mind, it would seem to be appropriate and advisable for the Working Group, for the time being, to concentrate its work on the questions of substance of the arrangements with a view to evolving, as much as possible, a common approach. In the light of various views expressed and proposals submitted by delegations regarding the scope and substance of the work of the Working Group for its 1981 session, certain stages of consideration on the subject could serve as a general guideline for deliberations and negotiations in the Working Group on effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons.

"STAGE ONE: Identification of the various features of the assurances not to use or threaten to use nuclear weapons against non-nuclear-weapon States"

- A. As reflected in the undertakings assumed by nuclear-weapon States, as formulated in their unilateral declarations contained in document CD/SA/WP.2 (Annex B to document CD/125\*).
- B. As reflected in the proposals made by non-nuclear-weapon States, as contained in document CD/SA/WP.2 (Annex B to document CD/125\*).

"STAGE TWO: Consideration of possible alternatives which can be explored in the search for a 'common approach' or 'formula'"

- A. Pending nuclear disarmament, a complete prohibition on the use of nuclear weapons.
- B. A categorical assurance by the nuclear-weapon States to all non-nuclear-weapon States not to use or threaten to use nuclear weapons against them.
- C. A categorical assurance by the nuclear-weapon States to all non-nuclear-weapon States not to use or threaten to use nuclear weapons against them with accompanying interpretative statements by each nuclear-weapon State.
- D. A common formula for security assurances containing such elements as may be raised in the negotiations in the Committee on Disarmament and agreed upon by all concerned.
- E. A common formula which could reconcile the elements contained in the existing unilateral undertakings of the nuclear-weapon States.
- F. Solemn unilateral declarations, identical in their substance, made by the nuclear-weapon States concerning the non-use and non-threatening use of nuclear weapons against non-nuclear-weapon States having no such weapons on their territories.

G. Possible consideration of the investiture of more formal and legal status to the existing unilateral declarations of the nuclear-weapon States.

H. Commitments by means of conventions concluded between nuclear-weapon States and participants in nuclear-weapon-free zones.

\* \* \*

"Examination and negotiation on the specific content and wording of a common formula could be considered at a later stage, pending the progress achieved in regard to the two stages of discussion within the Working Group."

#### D. Chemical Weapons

102. The item on the agenda entitled "Chemical Weapons" was considered by the Committee in accordance with its programme of work, from 23 March to 3 April and from 13 to 17 July. The Committee further considered this item during the periods 13 to 17 April and 3 to 7 August.

103. In addition to earlier documents, the following were before the Committee in connection with the item:

(a) Document CD/142, dated 10 February 1981, submitted by the delegation of Sweden, entitled "Working Paper: Prohibition of retention or acquisition of a chemical warfare capability enabling use of chemical weapons".

(b) Document CD/164, dated 19 March 1981, submitted by Finland, entitled "Creation of chemical weapons control capacity - present phase and goals of the Finnish project".

(c) Document CD/167, dated 26 March 1981, submitted by the delegation of Canada, entitled "Verification and control requirements for a chemical arms control treaty based on an analysis of activities".

(d) Document CD/168, dated 27 March 1981, submitted by the delegation of China, entitled "Working Paper - Prohibition of Chemical Weapons: on the Definition of Chemical Warfare Agents".

(e) Document CD/169, dated 27 March 1981, submitted by the delegation of China, entitled "Working Paper: Dismantling of Production Facilities/Means of Production for Chemical Weapons".

(f) Document CD/173, dated 3 April 1981, submitted by the delegation of Canada, entitled "Disposal of Chemical Agents".

(g) Document CD/178, dated 16 April 1981, submitted by Finland, which addressed an invitation of the Finnish Government to a Chemical Weapons Verification Workshop.

(h) Document CD/124/Rev.1, dated 24 April 1981, submitted by the delegation of Indonesia, entitled "Revision of CD/124 on the Definition of Chemical Agent and Chemical Warfare Agent".

(i) Document CD/195, dated 14 July 1981, submitted by the delegation of Yugoslavia, entitled "Working Paper: Incapacitating Agents".

(j) Document CD/196, dated 16 July 1981, submitted by Finland, entitled "Trace Analysis of Chemical Warfare Agents".

(k) Document CD/197, dated 17 July 1981, submitted by the delegation of Romania entitled "Working Paper - Suggestions for Elements of a Chemical Weapons Convention: Definitions and Criteria".

(l) Document CD/199, dated 24 July 1981, submitted by the delegation of Czechoslovakia, entitled "Working Paper: Definition and Characteristics of the Toxins".

(m) Document CD/203, dated 30 July 1981, submitted by the delegation of the Netherlands, entitled "Consultation and Co-operation, Verification Measures and Complaints Procedure in the framework of the Convention on the complete and effective Prohibition of the Development, Production and Stockpiling of all Chemical Weapons and on their Destruction".

(n) Document CD/212, dated 13 August 1981, submitted by the delegation of China, entitled "Some Viewpoints on the Prohibition of Chemical Weapons".

104. At its 105th plenary meeting on 12 February 1981, the Committee decided to pre-establish, for the duration of its 1981 session, the Ad Hoc Working Group on Chemical Weapons, which had been established on 17 March for its 1980 session, so that it might continue its work on the basis of its former mandate. 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 1981 session (document CD/151).

105. At its 107th plenary meeting on 17 February 1981, the Committee also decided to nominate the representative of Sweden as Chairman of the Ad Hoc Working Group.

106. At the 127th plenary meeting on 24 April 1981, the Chairman of the Ad Hoc Working Group introduced his progress report on the work of the Ad Hoc Working Group (document CD/179 and Add.1).

107. At its 137th plenary meeting on 14 July 1981, the Committee decided, in response to a request of the Chairman of the Ad Hoc Working Group, to invite the Director-General of the World Health Organization and the Director of the Regional Office for Europe of the United Nations Environment Programme, to nominate representatives to attend certain meetings of the Ad Hoc Working Group on Chemical Weapons, for the purpose of providing technical information, when it is deemed necessary, in respect of establishing toxicities of chemicals and the international register of potential toxic chemicals.

108. At the 141st plenary meeting on 28 July 1981, the Chairman of the Ad Hoc Working Group made a statement (CD/PV.141) which was the result of the negotiations he had been asked to undertake on the question of the revision of the mandate for the Ad Hoc Working Group. Several delegations commented on that statement.

109. The Ad Hoc Working Group held 23 meetings between 18 February and 17 August 1981, 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/220).

110. At its 148th plenary meeting on 20 August 1981, 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

"At its 105th plenary meeting on 12 February 1981, the Committee on Disarmament adopted the following decision:

'The Committee further decides to re-establish, for the duration of its 1981 session, the ad hoc working group on effective international arrangements to assure non-nuclear weapon States against the use or threat of use of nuclear weapons, chemical weapons and radiological weapons, which were established on 17 March for its 1980 session, so that they may continue their work on the basis of their former mandates.

It is understood that the Committee will, as soon as possible, review the mandates of the three ad hoc working groups with a view to adapting, as appropriate, their mandates to advance the progress of the process of negotiations towards the objective of concrete disarmament measures.

...

The ad hoc working groups will report to the Committee on the progress of their work at any appropriate time and in any case before the conclusion of its 1981 session.' (Document CD/151)

## "II. ORGANIZATION OF WORK AND DOCUMENTATION

"At its 107th plenary meeting on 17 February 1981 the Committee appointed Ambassador C. Lidgard, Sweden, as Chairman of the Ad Hoc Working Group. Mrs. L. Waldheim-Natural, Chief, Geneva Unit, United Nations Centre for Disarmament, served as Secretary of the Ad Hoc Working Group.

"The Ad Hoc Working Group held 12 meetings from 13 February to 22 April 1981 and 11 meetings from 17 June to 17 August 1981.

"At their request, the Committee on Disarmament, at its 104th plenary meeting on 10 February 1981 and its 122nd plenary meeting on 7 April 1981, respectively decided to invite the representative of the following States not members of the Committee to participate in the meetings of the Ad Hoc Working Group: Austria, Denmark, Finland, Norway, Spain and Switzerland.

"On the basis of the decision taken by the Committee at its 137th plenary meeting on 14 July 1981, the World Health Organization and the European Office of the United Nations Environment Programme were invited to nominate representatives to attend certain of the meetings of the Ad Hoc Working Group to provide technical information when necessary. In response to this invitation Dr. Mercier and Dr. Parizek of the ILO/UNEP/WHO International Programme on Chemical Safety (IPCS) and Dr. Huismans and Dr. Gilbert of UNEP's International Register of Potentially Toxic Chemical (IRPTC) attended consultations of the Chairman or meetings of the Working Group concerning toxicity determinations.

"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 in part read as follows: 'The complete and effective prohibition of the development, production and stockpiling of all chemical weapons and their destruction represent one of the most urgent measures of disarmament. Consequently, conclusion of a convention to this end, on which negotiations have been going on for several years, is one of the most urgent tasks of multilateral negotiations.' The Working Group also took into consideration A/RES/35/144 B which in operative paragraph 3 'Urges the Committee on Disarmament to continue, as from the beginning of its session to be held in 1981 negotiations on such a multilateral convention as a matter of high priority, taking into account all existing proposals and future initiatives.'

"During the 1981 session the following official documents dealing with Chemical Weapons were presented to the Committee on Disarmament:

- CD/142 submitted by Sweden entitled 'Prohibition of retention or acquisition of a chemical warfare capability enabling use of chemical weapons (4 Annexes)'
- CD/164 submitted by Finland entitled 'Creation of Chemical Weapons Control Capacity -- Present Phase and Goals of the Finnish Project'
- CD/167 submitted by Canada entitled 'Verification and Control Requirements for a Chemical Arms Control Treaty based on an Analysis of Activities'
- CD/168 submitted by China entitled 'Prohibition of Chemical Weapons: on the Definition of Chemical Warfare Agents'
- CD/169 submitted by China entitled 'Dismantling of Production Facilities Means of Production for Chemical Weapons'
- CD/173 submitted by Canada entitled 'Disposal of Chemical Agents'
- CD/124/Rev.1 submitted by Indonesia entitled 'Revision of CD/124 on the Definition of Chemical Agent and Chemical Warfare Agent'
- CD/179 and Add.1 entitled 'The Chairman's Progress Report to the Committee on Disarmament on the work of the Ad Hoc Working Group on Chemical Weapons'
- CD/183 submitted by Canada entitled 'A Conceptual Working Paper on Arms Control Verification'
- CD/195 submitted by Yugoslavia entitled 'Incapacitating Agents'
- CD/196 submitted by Finland entitled 'Trace Analysis of Chemical Warfare Agents'

- CD/197 submitted by Romania entitled 'Suggestion: for elements of a Chemical Weapons Convention'
- CD/199 submitted by Czechoslovakia entitled 'Definition and Characteristics of the Toxins'
- CD/203 submitted by the Netherlands entitled 'Consultations and Co-operation, Verification Measures and Complaints Procedure'

"In the conduct of its work during its 1981 session, the following working papers were circulated to the Working Group:

- CD/CW/WP.7 and Rev.1 entitled 'Outline suggested by the Chairman for the work of the group -- Part 1'
- CD/CW/WP.8 and Corr.1 entitled 'Outline suggested by the Chairman for the work of the group -- Part 2'
- CD/CW/WP.9 submitted by Canada entitled 'Verification and Chemical Weapons'
- CD/CW/WP.10 and Corr.1 entitled 'Outline suggested by the Chairman for the work of the group -- Part 3'
- CD/CW/WP.11 submitted by Mongolia, Poland and the USSR entitled 'Chemical Weapons: types of activity to be covered by a convention on the prohibition of chemical weapons'
- CD/CW/WP.12 entitled 'Outline suggested by the Chairman for the work of the group -- Part 4'
- CD/CW/WP.13 entitled 'Outline suggested by the Chairman for the work of the group -- Part 5'
- CD/CW/WP.14 entitled 'Outline suggested by the Chairman for the work of the group -- Part 6'
- CD/CW/WP.15 submitted by Bulgaria, Hungary and Poland entitled 'Chemical weapons: definitions'
- CD/CW/WP.16 submitted by France entitled 'Declarations and destruction of materials and facilities'
- CD/CW/WP.17 submitted by France entitled 'Chemical weapons -- definitions, criteria'
- CD/CW/WP.18 submitted by Australia entitled 'Initial Comments on the Consolidated Outline suggested by the Chairman of the Ad Hoc Working Group on Chemical Weapons'
- CD/CW/WP.19 entitled 'Suggestions by the Chairman of the Working Group on Chemical Weapons for elements of a chemical weapons convention'
- CD/CW/WP.20 entitled 'Suggestions by the Chairman of the Working Group on Chemical Weapons for elements of a chemical weapons convention'

- CD/CW/WP.21 entitled 'Suggestions by the Chairman of the Working Group on Chemical Weapons for elements of a chemical weapons convention'
- CD/CW/WP.22 and Corr.1 and Rev.1 entitled 'Report of the Chairman to the Working Group on Chemical Weapons on the consultations held on issues relating to toxicity determinations'
- CD/CW/WP.23 submitted by Australia entitled 'Chemical Weapons Verification Consultative Committee of Experts'
- CD/CW/WP.24 submitted by Australia entitled 'Chemical Weapons Convention: Assistance to Parties'
- CD/CW/WP.25 submitted by Australia entitled "Chemical Weapons Verification: The Methyl-Phosphorus 'Finger Print'"

"The following Conference Room Papers were also submitted during the Committee's 1981 session:

- CD/CW/CRP.5 and Rev.1 and 2 entitled 'Suggestions by the Chairman for particular technical issues to be addressed during CD's 1981 work on chemical weapons'
- CD/CW/CRP.6 entitled 'List of topics to be discussed with regard to the definitions and criteria of importance for a chemical weapons convention'
- CD/CW/CRP.7 submitted by Belgium entitled 'Proposed definitions (revision of document CD/94)'
- CD/CW/CRP.8 submitted by France entitled 'Criteria for definition'
- CD/CW/CRP.9 entitled 'List of questions put to the delegations of the USSR and the United States of America at the meeting of 30 March 1981 with respect to the bilateral report, CD/112, and outlines by the Chairman for the work of the Working Group'
- CD/CW/CRP.10 and Add.1 and 2 and Corr.1 and Rev.1 entitled 'Draft Progress Report to the Committee on Disarmament'
- CD/CW/CRP.11 entitled 'Note by the Chairman'
- CD/CW/CRP.12 entitled 'Suggestions for consultations on toxicity determinations'
- CD/CW/CRP.13 and Corr.1 entitled 'Consolidated text of suggestions for elements I, I (bis) and Annex I of a Chemical Weapons Convention, received as at Friday, 26 June 1981'
- CD/CW/CRP.14 submitted by Australia entitled 'Delegation Amendments to CD/CW/WP.19 and CD/CW/WP.20, Subject to Revision'
- CD/CW/CRP.15 and Add.1 entitled 'Revised Suggestions by the Chairman for elements of a Chemical Weapons Convention'

- CD/CW/CRP.16 and Add.1 entitled 'Compilation of suggested amendments to the draft Elements and Annexes proposed by the Chairman in documents CD/CW/WP.19 to 20'
- CD/CW/CRP.17/Rev.1, Add.1 and 2 and Rev.2 and 3, and Corr.1 entitled 'Draft Report of the Ad Hoc Working Group on Chemical Weapons to the Committee on Disarmament'
- CD/CW/CRP.18 entitled 'Suggestion by the Chairman of the Working Group on Chemical Weapons for recommendation by the Working Group to the Committee on Disarmament regarding decision on further work to be undertaken on methods for toxicity determinations for a Chemical Weapons Convention'

### "III. SUBSTANTIVE CONSIDERATIONS DURING THE 1981 SESSION

"In accomplishing its task, the Working Group carried out another substantive and more detailed examination of the issues to be dealt with in the negotiation on a multilateral convention on the complete and effective prohibition of the development production and stockpiling of chemical weapons and on their destruction. During the first part of the Committee's 1981 session the Working Group conducted its work on the basis of the outline suggested by the Chairman as contained in documents CD/CW/WP.7, 8, 10, 12, 13 and 14. The Chairman at the Committee's 127th plenary meeting on 24 April 1981 presented his report on the work of the Group during the first part of the 1981 session as contained in document CD/179. During the second part of the session the Working Group considered the draft elements of a chemical weapons convention, suggested by the Chairman and contained in CD/CW/WP.19, 20 and 21.

"On the basis of statements as well as of oral and written comments by delegations, the Chairman, in an effort to elaborate the initial framework for a future chemical weapons convention which could facilitate further work, prepared revised versions of the draft elements for such a convention. These revised elements do not, however, reflect all the views which emerged on certain issues and include elements on which the delegation's views differed. Some delegations did not deem it advisable, at the present stage, to enter into discussion on certain elements, in particular some related to the issues of verification, proceeding from the belief that it was too early to do this until general agreement had been reached on the scope of the prohibitions. Others, however, expressed their opinions on these elements, proceeding from the belief that they could be examined at the present stage of the work and contribute to future negotiations. The revised text of the Chairman's elements as well as dissenting views as outlined in the comments are presented below. These comments do not, however, record all the positions of delegations which opposed these dissenting views. Delegations reserved themselves the right to further consider those and other proposals at the appropriate time.

#### "Elements suggested by the Chairman and summary of related comments

##### I

#### "General provision

"Each State Party to this Convention should undertake, as set forth in the following Elements, never under any circumstances to develop, produce, otherwise acquire, stockpile, retain or transfer chemical weapons and to destroy or otherwise dispose of existing stocks of chemical weapons and means of production of such weapons.

## "Comments

- "Some delegations regarded this element as superfluous on the ground that it would complicate the structure of the main prohibition under the convention and would render this prohibition less distinct. They asserted that mentioning in this element some prohibitions but not others would give rise to ambiguities regarding the scope of a convention. Others, who agreed with this element, believed that it was essential because it stated in clear terms the two main purposes of a convention, namely a set of prohibitions and an obligation to destroy the existing stocks of chemical weapons and the means of production of such weapons. Furthermore, this element would ensure the binding character of the undertakings to be entered into by the Parties to a future convention.

- "Some delegations felt that a convention, so as to be comprehensive in nature, should aim at prohibiting chemical weapons in all their aspects and therefore also include a prohibition of use of chemical weapons in the scope of a convention. They held, inter alia, that this would strengthen the prohibition contained in the 1925 Geneva Protocol by adding measures of verification to it and by enlarging it to cover some hostile situations which they deemed not to be covered by the Protocol, whose scope of prohibition, in their view, only covers the use of chemicals in war. Others felt that a comprehensive prohibition of use was already contained in the 1925 Protocol, and that it should therefore not be restated because it would lead to the weakening of that Protocol. According to some delegations the verification mechanism of a future convention would also entail the division of States Parties to the Protocol into two categories on the basis of their obligations, namely those who have become Parties to a convention, and thus accepted the obligations of verification under it and those who have not become Parties to a convention and therefore have no such obligations. It was further felt by some that restating the prohibition of use would cast doubts on the recognized value of the Protocol. All agreed however that nothing in this convention should detract from the effectiveness of the 1925 Protocol.

- "Some delegations supported the idea of including in the scope of a convention a prohibition specifically of planning, organization and training intended to enable the utilization of toxic properties of chemicals as chemical weapons in combat, in order to completely eliminate chemical warfare capability. Others objected that such a prohibition would be difficult to implement and verify. It was asserted, in addition, that the prohibition of the development, production, stockpiling and retention of all means of chemical warfare, including corresponding chemicals, munitions, devices and equipment as well as means of production of chemical weapons would lead to the elimination of the actual chemical warfare potential.

- "Some delegations felt that the scope of a convention should include the prohibition of development etc. of chemicals for hostile purposes, involving the utilization of toxic properties of such chemicals not only against man but also against animals and plants. Some delegations indicated that they would prefer the scope of a convention to be extended to all chemicals capable of having toxic effects on all components of the environment. Others thought that the prohibition should refer to hostile purposes, involving the utilization of toxic properties of chemicals against man only, because, inter alia, the widespread civilian use of some of these chemicals would make verification very difficult.

- "Some delegations suggested that the link between the scope of the Biological Weapons Convention and that of a chemical weapons convention should be referred to wherever appropriate.

## II

### "General definition of chemical weapons

1. "Chemical weapons, as referred to in Element I, would comprise:

(a) super-toxic lethal, other lethal, and other harmful chemicals as well as precursors of such chemicals, intended for hostile or military purposes involving the utilization of the toxic properties of such chemicals as weapons, provided their types are compatible with and that their quantities are sufficient for such purposes;

(b) munitions and devices, specifically designed to cause death or other harm through toxic properties of chemicals released from them as well as equipment specifically designed for use directly in connection with the employment of such munitions or devices.

2. "Definitions of super-toxic lethal chemicals, other lethal chemicals, other harmful chemicals and precursors would be given in Annex I.

### "Comments

- "Some delegations suggested that elements I and II, for increased clarity, should be combined and formulated along the lines in element I in CD/CW/WP.19. The Prohibition would then cover the development, production, acquisition, stockpiling, and retention of: (a) super-toxic lethal, other lethal and other harmful chemicals, and precursors of such chemicals, except those intended for non-hostile purposes or military purposes not involving the use of chemical weapons, provided their types and quantities are consistent with such purposes; (b) any munitions or devices, specifically designed to cause death or other harm through the toxic properties of the chemicals released as a result of the employment of these munitions or devices; (c) any equipment specifically designed for use directly in connection with employment of such munitions or devices. Other delegations would prefer to maintain the formulation of element I, which seemed to them to reflect in a very clear manner the main purposes of a convention, which deals with a set of prohibitions, on the one hand, and with a precise obligation to destroy existing stocks and means of production on the other. Element II would then contain the definition of chemical weapons, both for the purpose of the prohibitions and for the purpose of destruction.

- "A delegation suggested that on logical grounds the subparagraphs in paragraph 1 of the element should be presented in the reversed order.

- "Some delegations suggested the insertion of the words 'chemical warfare agents, made up of' after '(a)' and before 'super-toxic lethal'.

- "Some delegations also wished to have definitions of 'chemical warfare agents', 'hostile purposes', 'non-hostile purposes', 'permitted purposes', 'chemical munitions' and 'means of production of chemical weapons' included.

- "Some delegations felt that all the definitions should be included in the main body of a convention and not in an annex. However the technical details such as those related to methods for toxicity determinations should remain in the annex.

- "Some delegations suggested that chemical weapons should be understood to include certain chemical substances which, even if they are not toxic in nature could be employed as chemical weapons, for instance, psychochemicals and herbicides. Others saw great practical difficulties in this proposal.

- "Some delegations considered that the general purpose criterion was not made sufficiently clear in this element. In their view the definition of chemical weapons should be formulated so as to state that these weapons include all kinds of chemical warfare agents whose toxic properties can be used for hostile purposes to cause death, injury or harm to human beings, animals and plant life."

## "ANNEX I

### "Definitions and Criteria

1. "Definitions, criteria and methods in this Annex would be agreed upon for the purpose of this Convention.
2. "A 'super-toxic lethal chemical' is any toxic chemical, however produced, with a median lethal dose which is less than or equal to 0.5 mg/kg (subcutaneous administration) or 2,000 mg-min/m<sup>3</sup> (by inhalation), when measured by the methods set forth in paragraph 6 of this annex.
3. "Any 'other lethal chemical' is any toxic chemical, however produced, with a median lethal dose which is greater than 0.5 mg/kg (subcutaneous administration) or 2,000 mg-min/m<sup>3</sup> (by inhalation) and which is less than or equal to 10 mg/kg (subcutaneous administration) or 20,000 mg-min/m<sup>3</sup> (by inhalation) when measured by the methods set forth in paragraph 6 of this annex.
4. "Any 'other harmful chemical' is any toxic chemical, however produced, with a median lethal dose which is greater than 10mg/kg (subcutaneous administration) or 20,000 mg-min/m<sup>3</sup> (by inhalation) when measured by the methods set forth in paragraph 6 of this annex.
5. "'Precursors' are sets of chemicals, which, when made to react chemically with each other, form among others also such chemicals as are mentioned in paragraphs 2 - 4 of this Annex.
6. "Methods for toxicity determinations and identification of chemicals.

[to be elaborated]

### "Comments

- "It was generally felt that the definition of 'precursors' required further study.

- "Some delegations objected to the expression 'however produced' in paragraphs 2 - 4 on the grounds that it would lead to confusion with regard to the Biological Weapons Convention.

### III

#### "Prohibition of transfer

"Each State Party to this Convention should undertake:

(a) not to transfer to anyone, directly or indirectly, any chemical weapons;

(b) not to transfer to anyone, directly or indirectly, except to a State Party, any super-toxic lethal chemicals produced or otherwise acquired for permitted purposes, of types and in quantities which are suitable for chemical weapons purposes;

(c) not to assist, encourage or induce, directly or indirectly, anyone to engage in activities from which the State Party itself would be obliged to refrain under the Convention.

#### "Comments

- "Some delegations thought that the prohibition to transfer super-toxic lethal chemicals should be extended to other lethal chemicals. A delegation, however, felt that the prohibition on transfer of super-toxic lethal chemicals, except to State Parties, contained in (b) above, was subsumed under (c). No special provision therefore needed to be made with respect to super-toxic lethal chemicals, especially since this might imply less than strict application of the provision under (c).

- "A delegation considered that the right implied in element III to transfer super-toxic lethal chemicals in types and quantities suitable for chemical weapons purposes to another State Party should only apply when these chemicals are intended for permitted purposes.

- "Some delegations suggested that States Parties should be permitted to transfer to other States Parties their existing stocks of chemical weapons for the purpose of the destruction of these weapons.

- "Some delegations felt that the wording of this prohibition was not sufficiently clear because of the ambiguity in the definition of chemical weapons.

### IV

#### "Declarations

1. "Each State Party to this Convention should undertake to declare within 30 days after the Convention has entered into force or the State Party has adhered to it:

(a) its possession or non-possession of chemical weapons;

(b) its stocks of chemical weapons and means of production of such weapons;

(c) its plans for the destruction or, where appropriate according to Element V, diversion for permitted purposes of declared stocks of chemical weapons;

(d) its plans for the destruction, dismantling or, where appropriate according to Element V, conversion of declared means of production of chemical weapons.

2. "Super-toxic lethal chemicals, acquired for non-hostile military purposes, should be declared. The location of facilities where super-toxic lethal chemicals are produced for such purposes should also be declared. Matters concerning the content and form would be set forth in Annex II.

#### "Comments

- "Some delegations considered that this element does not ensure a differentiated approach to the declarations, each of which has its own specificity. The element would have to be rearranged as regards the scope of activities to be declared and the time frames for various declarations.
- "Some delegations suggested that all States Parties possessing stocks of chemical weapons and means of production of such weapons should simultaneously make the relevant declarations.
- "Some delegations thought that all declarations should be made immediately at the entry into force of the convention or at the time of accession of States Parties.
- "Some delegations felt that declarations concerning the location of the stocks of chemical weapons could not be provided within the time limit stipulated in the element.
- "Some delegations suggested that chemical weapons munitions filling facilities and specific weapon systems designed for the employment of chemical warfare agents should be declared at the entry into force.
- "Some delegations considered that States Parties should declare not later than 10 years after the entry into force of the convention the complete cessation of activities and the destruction or conversion of materials and facilities which are needed for the planning, organization and training intended to enable the utilization of toxic properties of chemicals as chemical weapons in combat.
- "Some delegations felt that the wording of this element was not sufficiently clear because of the ambiguity in the definition of chemical weapons.

## ANNEX II

### "Declarations of possession of stocks of chemical weapons and means of production of chemical weapons, plans for their destruction or diversion for permitted purposes and time frames as well as forms for making such declarations"

1. "The declarations stipulated in Element IV should contain information about:

(a) types and amounts of stocks of chemical weapons and of their location;

(b) location and capacity of means of production of chemical weapons, including specialized facility for permitted production of super-toxic lethal chemicals;

(c) plans for destruction or diversion of stocks of chemical weapons, including timing and specification of types and amounts and the location of plants for destruction and diversion;

(d) plans for the destruction, dismantling or conversion of means of production of chemical weapons, including their location and capacity.

2. "Declarations as stipulated in Element IV should be forwarded to the Depositary, who would distribute them to the other States Parties to the Convention within one week after having received them.

3. "Declarations should be sufficiently informative to allow independent verification of the information by national and international means of verification available to other States Parties to the Convention.

### "Comments"

- "Some delegations felt that it was premature to suggest the nature and content of declarations as long as no preliminary agreement had been reached on the general aspects of declarations in Element IV.

- "It was generally felt that further details would have to be elaborated concerning the standardization of forms for declarations.

- "Some delegations felt that States Parties should not have to declare the location of stocks of chemical weapons at the entry into force of the Convention but rather the location where they would be assembled at a specific time after the entry into force.

- "Some delegations felt that the wording of this annex was not sufficiently clear because of the ambiguity in the definition of chemical weapons.

## "Destruction, diversion, dismantling and conversion

1. "Each State Party to this Convention should undertake to:

(a) destroy or divert for permitted purposes its stocks of chemical weapons;

(b) destroy or dismantle its means of production of chemical weapons.

2. "Means of production of chemical weapons could be converted temporarily, before final destruction or dismantling, for the purpose of destroying stocks of such weapons. The destruction, diversion and dismantling stipulated in this Element should be completed within 10 years after the Convention has entered into force or a State Party, which has to fulfil these provisions, has adhered to it.

3. "Matters concerning procedures, including notifications, in connection with what is stipulated in this Element would be set forth in Annex III.

### "Comments

- "Some delegations expressed their objection in principle to the implied possibility of conversion/diversion. They could, however, accept the term 'conversion' provided it was only temporary conversion of means of production of chemical weapons for the purpose of destroying stocks of such weapons.

- "Some delegations felt that destruction of stocks of chemical weapons should not take as long as 10 years. They thought, however, that if destruction must take so long, the stocks of chemical weapons should in the interim period be kept under international supervision.

- "Some delegations suggested that appropriate forms of international co-operation should be envisaged in order to facilitate the implementation of provisions related to the destruction of stocks of chemical weapons for all States Parties.

- Some delegations felt that stocks of chemical weapons belonging to a State Party could be transferred for destruction purposes to another State Party and destroyed there.

### ANNEX III

## "Destruction, dismantling or diversion for permitted purposes of declared stocks of chemical weapons and their means of production

1. "Preparation for the destruction or diversion for permitted purposes of stocks of chemical weapons should start immediately after the entry into force of the Convention. So-called mothballing of means of production of chemical weapons should be undertaken immediately at the entry into force of the Convention and remain until their destruction, dismantling or diversion for permitted purposes would begin.

2. "The provisions given in Element V should be performed in a manner allowing their verification through national and international means of verification.

5. "The progress of destruction or diversion of stocks of chemical weapons and of destruction, dismantling or conversion of their means of production should be notified on a yearly basis to the Depositary until the State Party declares the final abolition of its stocks and means of production. The Depositary would transmit such notifications to the other States Parties to the Convention within one week after having received them.

#### "Comments

- Some delegations felt that the contents of this annex must be further elaborated.
- Some delegations felt that the suggested content of this annex to a large extent had no direct relation to element V, but dealt with aspects which were provided for in other elements and opposed this annex.
- Some delegations felt that mothballing of means of production of chemical weapons should be under international supervision.

### VI

#### "Super-toxic lethal chemicals for non-hostile military purposes

"Each State Party should undertake not to possess super-toxic lethal chemicals for non-hostile military purposes in an aggregate quantity, which at any time exceeds one thousand kilogrammes. A State Party producing super-toxic lethal chemicals for non-hostile military purposes shall carry out such production at a single specialized facility, the capacity of which shall not exceed ...

#### "Comments

- Some delegations questioned whether it was appropriate to permit all States Parties, irrespective of their size, to possess as much as 1,000 kilogrammes of super-toxic lethal chemicals for non-hostile military purposes. Others considered the amount of 1,000 kilogrammes for the mentioned purposes excessive for any State Party.

### VII

#### "Relationship with other treaties

"Nothing in this Convention should be interpreted as in any way limiting or detracting from the obligations assumed by any State under the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June 1925, or under the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, opened for signature on 10 April 1972, or any other international treaty or any existing rules of international law governing armed conflicts.

## "Comments

- Some delegations considered that mention should also be made of the Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques (ENMOD) Convention among the treaties referred to. Others would have preferred to see all references to specific treaties deleted.
- Some delegations thought that the words 'by any State under' should be replaced by 'by States Parties to'.
- Some delegations proposed the deletion of the words 'or any existing rules of international law governing armed conflicts' while others suggested the deletion of the word 'existing' only.

## VIII

### "International co-operation

(1) This Convention should be implemented in a manner designed to avoid hampering the economic or technological development of States Parties to the Convention or international co-operation in the field of peaceful and protective chemical activities, including the international exchange of chemicals and equipment for the production, processing or use of chemical agents for peaceful and protective purposes in accordance with the provisions of the Convention.

(2) Each State Party to this Convention should undertake to facilitate, promote and participate in, the fullest possible exchange of equipment, materials and scientific and technological information for the use of chemicals for peaceful and protective purposes consonant with the aims of this Convention.

(3) Each State Party to this Convention should undertake to allocate a substantial part of possible savings in military expenditures as a result of disarmament measures agreed upon in this Convention to economic and social development, particularly of the developing countries.

## "Comments

- Some delegations considered that this element should contain categorical obligations for assistance to developing countries in training and equipping them with protective measures. A delegation further thought that a convention should include a provision for assistance to a State Party threatened with or subjected to a chemical attack.
- Some delegations expressed concern, without questioning the importance of international co-operation measures referred to in this element, about the dangers of the transfer from one State Party to another of the technical knowledge necessary to produce chemical weapons.
- Some delegations expressed doubts about the realism of the undertaking envisaged in paragraph 3 and suggested that it was inappropriate for inclusion in a chemical weapons convention. Others pointed out that the paragraph referred to 'possible savings' and embodied a principle already accepted in other documents of the United Nations.

"General provision on verification"

1. For the purpose of providing assurance of compliance with the provisions of this Convention, the States Parties should agree that verification would consist of national as well as international measures which should be considered as complementary to each other, as set forth in the following.
2. Such verification would be carried out through:
  - (a) monitoring of compliance with the obligations in Elements I-IV concerning prohibition of development, production, other acquisition, stockpiling, retention and transfer of chemical weapons;
  - (b) monitoring of compliance with the obligations in Elements I and V concerning
    - destruction or diversion for permitted purposes of stocks of chemical weapons,
    - destruction or dismantling of means of production of chemical weapons,
    - temporary conversion of means of production of chemical weapons for the purpose of destroying stocks of such weapons;
  - (c) monitoring of compliance with the obligations in Element VI concerning super-toxic lethal chemicals for non-hostile military purposes;
  - (d) enquiry into facts, including where necessary on-site inspections, concerning alleged ambiguities in or violations of the compliance with the Convention.
3. National measures of verification would be carried out by a national verification system, organized, designated or employed by each State Party in accordance with its own legislation.
4. As regards international measures of verification a Consultative Committee of experts should be established in order to provide a permanent body for the monitoring of the implementation of and compliance with the provisions of this Convention on behalf of the international community by ensuring the availability of international data and expert advice to provide a basis for assessing such compliance.

"Comments"

- Some delegations stressed the importance of confidence-building measures, which ought to be discussed in context with the verification issues, especially those related to declarations.

- (Para. 1) Some delegations thought that international verification measures should form the basis for verification and that national measures could only be complementary to international measures.
- (Para. 1) Some delegations considered that national verification measures should form the basis for verification and that international measures were only supplementary, even though necessary, means.
- (Para. 2 (b)) Some delegations stated that the temporary conversion of means of production of chemical weapons was unacceptable.
- (Para. 2 (d)) Some delegations suggested the deletion of the words 'including where necessary on-site inspection'.
- (Para. 2 (d)) A delegation considered the term 'ambiguities' as not sufficiently clear.
- (Para. 3) Some delegations thought that it should be left to each State Party to decide whether any specific national organization was required for national verification.
- (Para. 4) Some delegations suggested that the words 'on behalf of the international community by ensuring the availability of international data and expert advice to provide a basis for assessing such compliance' be deleted, in order not to confuse the role of the Consultative Committee with regard to the verification of compliance as detailed in element XIII and annex V.
- (Para. 4) Some delegations would prefer to see the words 'international community' replaced by 'States Parties'.
- (Para. 4) Some delegations felt that the Consultative Committee should also assess the collected data and that details for this activity should be given in Element XIII and Annex V. Other delegations thought however that the assessment should be made principally by each State Party individually.
- (Para. 4) Some delegations suggested that the following words should replace the text after the words 'be established'; 'to ensure the availability of international data and expert advice to provide a basis for assessing the implementation of and compliance with the provisions of this convention as described in Element XIII and Annex V.'
- (Para. 4) Some delegations considered that the term 'monitoring' was not sufficiently clear and that they therefore reserved their positions on this element.
- Some delegations suggested the replacement of the word 'monitoring' by the word 'verification' throughout the element.

"National legislation and verification measures

1. "Each State Party to this Convention should undertake to take any measures it considers necessary in accordance with its constitutional processes to prohibit and prevent any activity in violation of the provisions of the Convention anywhere under its jurisdiction or control, including a national verification system according to Element IX.

2. "Recommendations and guidelines concerning the functions and organization of the national verification system would be set out in Annex IV.

"Comments

- Some delegations queried the necessity of this element.
- Some delegations suggested the deletion of the words 'it considers necessary' in paragraph 1.
- Some delegations suggested the deletion of the words 'including ... to Element IX' at end of paragraph 1.

"Annex IV"Recommendations and guidelines concerning the functions and organization of the national verification system

(The contents of this annex remain to be elaborated)

"Comments

- Some delegations would prefer to see more emphasis put on the functions of such a system than on its organizational structure.

"National technical means of verification

1. "Each State Party to this Convention should undertake to use national means of verification, including national technical means, at its disposal for the purpose of monitoring compliance with the provisions of this Convention only in as far as it is consistent with generally recognized principles of international law.

2. "Each State Party to this Convention should undertake not to impede, including through the use of deliberate concealment measures, the national technical means of verification of other States Parties operating in accordance with paragraph 1 of this Element.

## "Comments

- Some delegations proposed the insertion of the words 'as appropriate and in accordance with paragraph 1 of Element IX' between the words 'Convention' and 'should undertake' in paragraph 1.
- Some delegations stated that they could agree to this element only after it had been made clear to what extent States Parties should undertake to disseminate to other States Parties information obtained through national technical means of verification.
- A delegation considered that the term 'deliberate concealment measures' should be further elaborated and clarified.

## XII

### "Consultation and co-operation

1. "The States Parties to this Convention should undertake to consult one another and to co-operate, especially through the Consultative Committee, referred to in Element IX, in solving any problems which may arise in relation to the objectives of, or in the application of the provisions of, the Convention.
2. "Any State Party to this Convention, which has reason to believe that any other State Party is acting in breach of its obligation under this Convention should have the right to request information either bilaterally or through the Consultative Committee in order to clarify the situation. Such a request should be accompanied by appropriate explanations of the reasons for concern.
3. "Consultation and co-operation pursuant to this Element could also be undertaken through appropriate international procedures within the framework of the United Nations and in accordance with its Charter. These international procedures could include the services of appropriate international organizations, in addition to those of the Consultative Committee.

## "Comments

- Some delegations considered that the complaints mechanism which is dealt with in this element as well as in element XIII should be structured more clearly.
- A delegation felt that the words 'in solving any problems' in paragraph 1 were too vague and required further elaboration.
- Another delegation considered that it was essential to make it clear to what extent the bilateral consultative process referred to in this element implied obligations to make information available to other States Parties.

- Some delegations felt that the word 'appropriate' before 'explanations' in paragraph 2 was not sufficiently precise and should be either further elaborated or deleted.

- Some delegations thought that the procedures, referred to in paragraph 3, should include a specific reference to the General Assembly and the Security Council. Opinions differed however on whether both or just one or the other should be referred to.

### XIII

#### "Consultative Committee"

1. "The Consultative Committee, referred to in Elements IX and XII, should be established at the entry into force of this Convention. Each State Party to this Convention could appoint one representative to the Committee. The representative could be assisted by one or more advisers. The Depositary or his personal representative should serve as President of the Committee and convene it at least once a year, or immediately upon receipt of a request from any State Party.
2. "Each State Party to this Convention should undertake to co-operate fully with the Committee in carrying out its tasks. Each representative should have the right, through the Chairman, to request from States Parties, and from international organizations, such information and assistance as the representative considers desirable for the accomplishment of the Committee's work.
3. "The Consultative Committee should:
  - (a) monitor the destruction and diversion for permitted purposes of stocks of chemical weapons, as well as the destruction, dismantling and temporary conversion of means of production of chemical weapons as stipulated in Element V;
  - (b) monitor permitted production of super-toxic lethal chemicals in accordance with Element VI;
  - (c) make appropriate findings of facts and provide expert views relevant to problems raised pursuant to the provisions of the Convention by a State Party, in particular concerning alleged ambiguities in, or violations of the compliance with the Convention at the request of a State Party;
  - (d) facilitate compliance with the Convention, e.g. by developing international standardization of methods and routines to be applied by national and international verification organs;
  - (e) receive and distribute data relevant to the provisions of this Convention, which may be made available by national verification systems;
  - (f) otherwise closely co-operate with national verification systems and provide them with necessary assistance.

4. "The Committee should, after consultation with the State Party concerned, be competent to undertake on-site inspections:

(a) in order to confirm received information concerning planned, on-going or effected measures according to subparagraph 3(a) of this Element;

(b) in order to carry out monitoring according to subparagraph 3(b) of this Element.

5. "Any State Party which has reason to believe that any other State Party is acting in breach of its obligations deriving from the provisions of this Convention would have the right to request an investigation by the Committee of the circumstances which have given rise to concern. Such a request could include a request for an on-site inspection to determine in accordance with subparagraph 3(c) of this Element, the facts of the situation and should be accompanied by an appropriate explanation of why an investigation is considered necessary. On-site inspection should take place only after consultation with the State Party concerned. If that State Party does not agree to on-site inspection, it should give appropriate explanations to the effect that an on-site inspection would at that time jeopardize its supreme national interests. The requesting Party could in this case pursue the complaint within the framework of the United Nations in accordance with Element XII, paragraph 3.

6. "The work of the Committee should be organized in such a way as to permit it to perform its functions in an effective, fair and impartial manner. It could for specific tasks set up sub-committees and verification teams. The Committee should decide procedural questions relative to the organization of its work, where possible, by consensus, but otherwise by a majority of those present and voting. There should be no voting on matters of substance. If the Committee is unable to provide for a unanimous report of findings of fact or in giving expert views, it should present the different views of the experts involved.

7. "The Committee should present an annual report of all its activities to the States Parties to the Convention. The Committee should further, whenever it has been requested by a State Party to carry out fact-finding or provide expert views concerning a specific question, transmit to the Depositary a summary of its findings or expert views incorporating all views and information presented to the Committee during its proceedings. The Depositary should distribute the summary to all States Parties.

8. "The Committee should at all stages consider the possibility of a bilateral solution to any dispute and be prepared to assist therein. Nothing should impede the right of a State Party to request information from the State Party concerned as regards presumed treaty violations.

9. "Details of the organization and procedures of the Committee, rights and duties of members, rights and duties of designated personnel for inspection, inspection procedures and rules for reports would be set out in Annex V.

## "Comments

- . Some delegations felt that this element had to be further elaborated. They emphasized that agreement on verification procedures could promote a convergence of views on the scope of the convention. Other delegations noted that the functions of the Consultative Committee as well as other international verification measures can and should be considered and elaborated only with due regard to, and in inextricable interrelationship with the scope and the nature of the prohibition under a future convention. Therefore they had refrained so far from stating their views in detail on the tasks and terms of reference of the Consultative Committee.
- (Para. 1) Some delegations considered that the efficiency of the Consultative Committee would diminish if it were to include a representative of each State Party. It was therefore suggested that the Committee should consist of a limited number of members elected from experts nominated by States Parties. The Chairman sharing this concern drew the attention to the 1961 Single Convention on Narcotic Drugs as a possible model.
- (Para. 3) Some delegations considered that the competence of the Consultative Committee should include enquiry into facts concerning allegations of use of chemical weapons by or with the assistance of a State Party on the grounds that evidence of use would indicate a breach of the obligations assumed not to develop, acquire, transfer, stockpile or retain chemical weapons.
- (Para. 3) Some delegations suggested that verification of the non-production of chemicals for prohibited purposes should be based on a pragmatic on-site inspection system. They believed that this could be undertaken without prejudice to the interest of the chemical industry. Some delegations felt that such inspections should be undertaken periodically on the basis of random selection so as to take place in a businesslike and co-operative atmosphere. Others asserted that there was no evidence that on-site inspection of chemical industry was feasible without harming economic interests.
- (Para. 3) Some delegations emphasized that the tasks in (a) and (b) do not only belong to the Consultative Committee but also to the national verification systems.
- (Para. 3) Some delegations stated that they did not see any necessity for an obligation to set up specific national verification organs.
- (Para. 3) A delegation proposed that there should be specific provisions in the functions of the Consultative Committee for technical assistance in protection measures on request to States Parties.
- (Para. 3) Some delegations suggested that procedures for the verification of allegations of use, which is forbidden by the 1925 Geneva Protocol, could also be elaborated outside the framework of the envisaged convention on chemical weapons.
- (Para. 4) Some delegations felt that on-site inspections as a means to confirm information received from States Parties could contribute to the fostering of distrust among nations and could therefore not be accepted. They also felt that these provisions had not been sufficiently discussed.

- (Para. 5) Some delegations felt that only the first sentence was acceptable.
- (Para. 5) Some delegations suggested that the words 'of the circumstances which have given rise to concern' were not sufficiently precise and should therefore be deleted.
- (Para. 5) Some delegations considered that even if it was within the right of each State Party to request on-site inspection, this should not be specifically mentioned. They considered that the Consultative Committee should decide to undertake an on-site inspection only if it could not obtain the necessary information to investigate the complaint by other means.
- (Para. 5) Some delegations suggested that there should be a provision in this element to enable a State Party to request on-site inspection within its own territory.
- (Para. 5) Some delegations suggested the inclusion of a provision to the effect that the Consultative Committee should consider and undertake action to establish the facts of the case, which may include requests for information and if necessary a proposal for on-site inspection.
- (Para. 5) Some delegations considered that the existing fourth sentence should stop after the words 'appropriate explanations'.
- (Para. 5) Some delegations thought that the entire complaints mechanism should be dealt with in a separate element.

#### ANNEX V

#### Consultative Committee

(The contents of this Annex remain to be elaborated)

#### "Comments

#### XIV

#### "Amendments

"Any State Party could propose amendments to this Convention. Amendments should enter into force for each State Party accepting the amendments upon their acceptance by a majority of the States Parties to the Convention and thereafter for each remaining State Party on the date of acceptance by it.

#### "Comments

"Review conferences"

1. "Five years after the entry into force of this Convention, or earlier if it is requested by a majority of Parties to the Convention by submitting a proposal to this effect to the Depositary; a conference of States Parties to the Convention should be held at Geneva, Switzerland, to review the operation of the Convention, with a view to assuring that the purposes of the Convention are being realized. Such review should take into account any new scientific and technological developments relevant to the Convention. Proposed amendments to the Convention could also be considered at the conference.

2. "Further review conferences should be held at intervals of five years thereafter, and at other times if requested by a majority of the States Parties to this Convention.

"Comments"

- Some delegations considered it premature to suggest time-frame for meetings of review conferences.

- A delegation suggested that the last sentence in paragraph 1 should be put in element XIV.

"Duration and withdrawals"

1. "This Convention should be of unlimited duration.

2. "Each State Party to this Convention should in exercising its national sovereignty have the right to withdraw from the Convention, if it decides that extraordinary events related to the subject matter of the Convention, have jeopardized its supreme interests. It should give notice of such withdrawal to the Depositary three months in advance. Such notice should include a statement of the extraordinary events it regards as having jeopardized its supreme interests.

"Comments"

- Some delegations suggested that States Parties should be required to give notice of withdrawal not only to the Depositary but also to the Security Council on the grounds that extraordinary events which jeopardize their supreme interests have to be invoked for such withdrawal.

- A delegation suggested the deletion of the reference to 'extraordinary events' as a corresponding rephrasing of the element.

"Signature, ratification, accession

1. "This Convention should be open to all States for signature. Any State which does not sign the Convention before its entry into force in accordance with paragraph 3 of this Element could accede to it at any time.
2. "This Convention should be subject to ratification by signatory States. Instruments of ratification or accession should be deposited with the Secretary-General of the United Nations.
3. "This Convention should enter into force upon the deposit of instruments of ratification by 20 Governments, in accordance with paragraph 2 of this Element.
4. "For those States whose instruments of ratification or accession are deposited after the entry into force of this Convention, it should enter into force on the date of the deposit of their instruments of ratification or accession.
5. "The Depositary should promptly inform all signatory States and States Parties the date of each signature, the date of deposit of each instrument of ratification or accession and the date of the entry into force of this Convention and of any amendments thereto, as well as of the receipt of other notices.
6. "This Convention should be registered by the Depositary in accordance with Article 102 of the Charter of the United Nations.
7. "Annexes I to V should be considered an integral part of this Convention.

"Comments

- Some delegations considered that the Convention should enter into force only upon the deposit of instruments of ratification by a specific number of States including those of the permanent members of the Security Council. Other delegations objected to this on the grounds that State Parties should not be treated in a different manner.

"Distribution of the Convention

"This Convention, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, should be deposited with the Secretary-General of the United Nations, who should send duly certified copies thereof to the Governments of States members of the United Nations and its Specialized Agencies.

"Comments

## IV. RECOMMENDATIONS AND CONCLUSIONS

"The Working Group took note of the report of the Chairman on consultations held on issues relating to toxicity determination, as contained in CD/CW/WP.22/Rev.1 and decided to make the following recommendations:

(a) that the Committee on Disarmament take note of the CD/CW/WP.22/Rev.1 of 23 July 1981, and consider it a suitable basis for the delegations to prepare further work on methods to be agreed for toxicity determinations for a chemical weapons convention;

(b) that the following issues be discussed at the Committee's 1982 session, using the toxicity values for super-toxic lethal, other lethal and other harmful chemicals given in CD/112 as a starting point for the work:

- (i) Specific testing methods for determination of acute lethal toxicity, using the relevant points found in Annex V of CD/CW/WP.22/Rev.1;
- (ii) Circumstances in which inhalation criteria will be required, including the possibility of supplementing inhalation toxicity measurements with intravenous injection;
- (iii) Possible criteria based on other types of harmful effects;
- (iv) Inventory of international resources for toxicity determination and the possibility of international co-operation.

Expertise, particularly in toxicology, as well as scientific and technical background material, which may be provided by delegations, will be of value for such discussions.

(c) that further consultations, similar to those held this year, should take place in the week 1-5 March 1982, on the issues mentioned under (b) unless the Committee on Disarmament decided otherwise at the beginning of its 1982 session.

(d) that the questions related to possible applications of toxicity criteria in a chemical weapons convention should be taken up within the Committee in the week thereafter.

"The substantive considerations of the Working Group reaffirmed the conclusions, reflected in the Final Document of the first special session of the General Assembly devoted to disarmament, that the prohibition of chemical weapons and their destruction represented one of the most urgent measures of disarmament and that the conclusion of such a convention is of the highest priority in multilateral negotiations. The urgency of achieving concrete results to this end was especially recognized in the light of the second special session to be held in 1982.

"After the extensive examination of the various issues related to a chemical weapons convention, both in 1980 and 1981, the Working Group considers that a convergence of views has emerged on many issues, but that some important divergencies of views still exist on certain elements. The Group also expresses the hope that the Committee will take due account of the results of its work, as presented in this report, so that it will contribute to the process of negotiating and elaborating a chemical weapons convention.

"While it was generally agreed that the Group made substantive progress during its 1981 session, many delegations regretted that it was not possible to obtain a revised mandate which would enable the group to initiate negotiations on the text of a convention. Emphasizing the responsibility of the Committee on Disarmament for the negotiation and elaboration of a chemical weapons convention, the Group recommends that the Committee at the beginning of its 1982 session re-establish the ad hoc Working Group on Chemical Weapons with an appropriately revised mandate, which will enable the Committee to build upon the areas of convergence and to resolve the differences of views which were identified by the Group during the 1980 and 1981 sessions, so as to achieve agreement on a chemical weapons convention at the earliest date."

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

111. 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, from 6 to 10 April and 6 to 10 July. The Committee further considered this item during the periods 15 to 17 April and 3 to 7 August.

112. The following document was received by the Committee during its session in connection with the item:

Document CD/174, dated 7 April 1981, submitted by the delegation of Hungary, entitled "Working Paper: Proposal for informal meetings of the Committee on Disarmament with the participation of qualified governmental experts on the prohibition of development and manufacture of new types of weapons of mass destruction and new systems of such weapons".

113. At its 105th plenary meeting on 12 February 1981, the Committee decided to re-establish, for the duration of its 1981 session, the Ad Hoc Working Group on Radiological Weapons which had been established on 17 March for its 1980 session, so that it might continue its work on the basis of its former mandate. The Committee further decided that the Ad Hoc Working Group should report to the Committee on the progress of its work at any appropriate time, and in any case before the conclusion of its 1981 session (document CD/151).

114. At its 107th plenary meeting on 17 February 1981, the Committee also decided to nominate the representative of Hungary as Chairman of the Ad Hoc Working Group.

115. At the 127th plenary meeting on 24 April 1981, the Chairman of the Ad Hoc Working Group made a statement reporting on the activities of the Ad Hoc Working Group during the first part of the annual session.

116. The Ad Hoc Working Group held 21 meetings between 20 February and 14 August 1981 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 (CD/218).

117. At its 148th plenary meeting on 20 August 1981, the Committee adopted the report of the Ad Hoc Working Group. There was no consensus, however, for the proposal contained in paragraph 11 of the report, as well as for the resumption of the work of the Ad Hoc Working Group on 18 January 1982, referred to in paragraph 23 of the report. The report of the Ad Hoc Working Group reads as follows:

I. INTRODUCTION

"At its 105th plenary meeting on 12 February 1981, the Committee on Disarmament adopted the following decision relating, inter alia, to item 5 of its agenda:

'The Committee further decides to re-establish, for the duration of its 1981 session, the ad hoc Working Groups on effective international arrangements to assure non-nuclear weapon States against the use or threat of use of nuclear weapons, chemical weapons, and radiological weapons, which were established on 17 March for its 1980 session, so that they may continue their work on the basis of their former mandates.'

In addition, the Committee on Disarmament decided that the ad hoc Working Groups would report to the Committee on the progress of its work at any appropriate time and in any case before the conclusion of its 1981 session (document CD/151, paras. 2, 5).

## II. ORGANIZATION OF WORK AND DOCUMENTATION

"At its 107th plenary meeting on 17 February 1981, the Committee on Disarmament appointed Ambassador Dr. Imre Kóniáves (Hungary) as Chairman of the Ad Hoc Working Group. Mr. Guennady Efimov of the United Nations Centre for Disarmament was appointed as Secretary of the Working Group.

"The Ad Hoc Working Group held 21 meetings between 20 February to 23 April 1981 and between 13 June to 14 August 1981.

"Delegates of all member States of the Committee on Disarmament participated in the work of the Ad Hoc Working Group.

"At the 127th plenary meeting of the Committee on Disarmament, on 24 April 1981, the Chairman submitted a progress report on the work done by the Ad Hoc Working Group (CD/PV.127).

"At its 129th and 132nd plenary meetings on 16 June and 24 June 1981, respectively, the Committee on Disarmament decided to invite, at their request, the representatives of the following States not members of the Committee to participate in the meetings of the Ad Hoc Working Group: Austria, Spain.

"In fulfilling its mandate, the Ad Hoc Working Group took into consideration paragraph 76 of the Final Document of the First Special Session of the United Nations General Assembly devoted to disarmament which stated that a convention should be concluded prohibiting the development, production, stockpiling and use of radiological weapons. The Working Group also took into consideration the relevant recommendations of the United Nations Disarmament Commission, in particular those adopted in connection with the Second Disarmament Decade in 1980. The Working Group further took into account resolution 35/156G of the General Assembly entitled 'Conclusion of an international convention prohibiting the development, production, stockpiling and use of radiological weapons', in which operative paragraph 1 reads as follows:

'1. Calls upon the Committee on Disarmament to continue negotiations with a view to elaborating a treaty prohibiting the development, production, stockpiling and use of radiological weapons and to report on the results to the General Assembly at its thirty-sixth session'.

"In the conduct of its work the Ad Hoc Working Group had before it the following documents and working papers:

- 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'.

- 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'.
- 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.
- 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.
- CD/RW/WP.3 -- Canada: Comments on major elements of a Treaty prohibiting the development, production, stockpiling and use of radiological weapons.
- CD/RW/WP.4 -- Federal Republic of Germany: Proposal for a new Article V.
- 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.
- CD/RW/WP.6 -- Sweden: Proposals for Articles I, II and III, or a Treaty prohibiting the development, production, stockpiling and use of radiological weapons.
- 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).
- CD/RW/WP.8 -- France: Proposed amendments to the agreed joint USSR-United States proposal on major elements of a Treaty prohibiting the development, production, stockpiling and use of radiological weapons.
- CD/RW/WP.9 -- Pakistan: Proposals for a revised Article V and a new article after Article V.
- CD/RW/WP.10 -- Yugoslavia: Proposal for an article of the Treaty related to the definition of radiological weapons.
- CD/RW/WP.11 -- Argentina: Observations on a Treaty prohibiting radiological weapons.
- CD/RW/WP.12 -- Venezuela: Proposals for a title and for substitution of the Articles I, II and III of the 'agreed joint USSR-United States proposal on major elements of a treaty prohibiting the development, production, stockpiling and use of radiological weapons'.
- CD/RW/WP.14 -- Sweden: Proposal for a study on IAEA safeguards.

- CD/RW/WP.15 -- Tabulation of proposals submitted to the Ad Hoc Working Group on Radiological Weapons on a treaty prohibiting radiological weapons (prepared by the Secretariat).
- CD/RW/WP.15/Add.1/Rev.1 -- India: Proposals for amendments of Articles I, II, III, V and VII of the elements of the proposed Draft Treaty on the Prohibition of Radiological Weapons.
- CD/RW/WP.15/Add.2 -- Indonesia: Statement delivered by the delegation of Indonesia at the fourth meeting of the Ad Hoc Working Group on Radiological Weapons held on 13 March 1981.
- CD/RW/WP.15/Add.2/Supp.1 -- Indonesia: Comment on the agreed joint USSR-United States CD/31-CD/32 especially paragraph 3, Article VIII concerning compliance and verification and on the French proposal contained in CD/RW/WP.8.
- CD/RW/WP.15/Add.3 -- Yugoslavia: Proposal for amendments to Article II of the elements of the proposed Draft Treaty on the Prohibition of Radiological Weapons.
- CD/RW/WP.16/Rev.1 -- Report to the Committee on Disarmament.
- CD/RW/WP.17 -- The Chairman's brief delivered at the First Meeting of the Ad Hoc Working Group on Radiological Weapons held on 20 February 1981.
- CD/RW/WP.18 -- The Chairman's Working Paper containing alternative texts of Articles on definition and scope of prohibition of a future treaty.
- CD/RW/WP.18/Add.1 -- The Chairman's Working Paper containing alternative texts of Articles on activities and obligations and peaceful uses.
- CD/RW/WP.18/Add.2 -- The Chairman's Working Paper containing alternative texts of Articles on relationship with other disarmament measures and agreements and compliance and verification.
- CD/RW/WP.18/Add.2/Supp.1 -- The Chairman's Working Paper containing alternative text for Annex.
- CD/RW/WP.18/Add.3 -- The Chairman's Working Paper containing alternative texts of Articles on Amendments, Duration and Withdrawal, Review Conferences, Adherence, Entry into Force, Depositary.
- CD/RW/WP.19 -- Sweden: Memorandum on certain aspects of a convention prohibiting radiological warfare.
- CD/RW/WP.20 -- The Chairman's Working paper containing consolidated text based on proposals submitted by the Chairman.
- CD/RW/WP.20/Add.1 -- Sweden: Proposal for Article VI of the consolidated text by the Chairman.
- CD/RW/WP.20/Add.1/Supp.1 -- Morocco: Proposal for Article VI of the consolidated text by the Chairman.

- CD/RW/WP.20/Add.2 — Japan: Proposed amendment to Article V of CD/RW/WP.20.
- CD/RW/WP.20/Add.3 — Federal Republic of Germany: Proposal for Article VII and Annex of the consolidated text by the Chairman.
- CD/RW/WP.20/Add.4 — Sweden: Proposal for Article VIII of the consolidated text by the Chairman.
- CD/RW/WP.20/Add.5 — Venezuela: Proposed amendment to Article IX of document CD/RW/WP.20.
- CD/RW/WP.20/Add.6 — Morocco: Proposed amendment to Article VII of document CD/RW/WP.20.
- CD/RW/WP.20/Add.7 — The Chairman's Working Paper on definition and scope of prohibition.
- CD/RW/WP.20/Add.8 — The Chairman's Working Paper on peaceful uses.
- CD/RW/WP.21 — The Chairman's Working Paper containing time-table for the work of the Working Group during the Second part of the CD 1981 session.
- CD/RW/WP.22 — Australia: Working Paper on Scope and Definition of the Future Treaty on Radiological Weapons.
- CD/RW/WP.23 — Working Paper of the Group of 21 on certain elements of the Convention on the Prohibition of Radiological Weapons.
- CD/RW/WP.24 — Draft Report of the Ad Hoc Working Group on Radiological Weapons.
- CD/RW/WP.24/Rev.1 — Draft Report of the Ad Hoc Working Group on Radiological Weapons.

"In addition to these documents, the Working Group took into consideration the views expressed by delegations on the question of the prohibition of radiological weapons in the Committee on Disarmament as well as during the thirty-fourth and thirty-fifth sessions of the General Assembly.

"At the request of the Group, the Secretariat compiled in 15 conference room papers and their addenda proposals and suggestions made by Australia, Belgium, Bulgaria, Canada, Egypt, France, German Democratic Republic, Germany, Federal Republic of, Hungary, India, Italy, Mexico, Morocco, Netherlands, Pakistan, Romania, Sweden, Union of Soviet Socialist Republics, United States of America, Venezuela and Yugoslavia. A list of documents, working papers and conference room papers was also prepared by the Secretariat (CD/RW/WP.13/Rev.2).

"At the request of one delegation the Ad Hoc Working Group agreed that it would benefit the work of the Group if, in conformity with Article 41 of the rules of procedure of the Committee on Disarmament, the Director-General of the IAEA could be invited to provide information on the possible relationship between a draft convention prohibiting the development, production

stockpiling and use of radiological weapons and the Vienna Convention on the Physical Protection of Nuclear Material as well as the guidelines for physical protection of nuclear material. Consequently the Chairman of the Ad Hoc Working Group wrote a letter to the Chairman of the Committee on Disarmament asking him to initiate consultations with the Committee on this request. Some delegations expressed their reservations to this proposal. Some delegations stated that the information should be technical and in the nature of providing relevant facts to delegations who may require them. Some delegations stated that it should have no bearing on the process of negotiation on the elaboration of a treaty prohibiting the development, production, stockpiling and use of radiological weapons within the Ad Hoc Working Group.

### III. SUMMARY OF THE DISCUSSION

"In fulfilling its mandate the Ad Hoc Working Group considered the main elements of a treaty prohibiting radiological weapons on the basis of the Chairman's consolidated text and other documents and proposals submitted with a view to elaborating draft provisions for the future treaty. The activities of the Ad Hoc Working Group showed that while further efforts were made to narrow down the existing differences, divergences still exist, particularly on the scope of prohibition, the definition of radiological weapons, the procedure for verifying compliance, peaceful uses and the relationship of the proposed treaty with other international agreements and other measures in the field of disarmament including nuclear disarmament.

"In connection with the scope of the treaty, several specific suggestions were put forward. Some delegations stated that the development of specific radiological weapons as defined in the Chairman's consolidated text and the joint USSR/United States proposal was a very remote possibility. They recalled that these weapons did not exist and in their view they could hardly become practical weapons of mass destruction. They considered however that there existed a very real risk of mass destruction from dissemination of radioactive substances through attacks on nuclear facilities, a possibility which was not adequately covered by existing international agreements. Therefore these delegations believed that the treaty should contain a provision for an undertaking not to attack nuclear facilities or to deliberately damage such facilities and that the treaty on radiological weapons would be the appropriate legal framework for elaboration of such an international legal norm. They considered that such a provision should not be seen as an obstacle to the conclusion of the treaty.

"The view was also expressed that as radiological weapons did not exist and their existence as a specific type of weapon could not be foreseen the work of the Committee on Disarmament in this field should be oriented towards the prohibition of radiological warfare and all use of radiation produced by radioactive materials to wage radiological warfare.

"Other delegations considered that the possibility of the emergence of radiological weapons in the future should not be excluded. These delegations believed that the possibility of the development of radiological weapons and the consequent threat of their use should be dealt with now as a matter of foresight before such weapons come into existence. These delegations held the view that the scope of the prohibition as defined in the joint USSR/United States proposal and in the Chairman's consolidated text fully

corresponds to the purpose of the treaty to prohibit the development, production and use of radiological weapons. In their view an attempt to deal in the same negotiations with the prohibition of radiological weapons and with the protection of nuclear facilities would lead to confusion and make elaboration of any agreements on both matters practically impossible. They believed that provisions concerning this matter were already covered by the Geneva Protocol additional to the Geneva Conventions of 12 August 1949, and relating to the protection of victims of international armed conflicts (Protocol I), 1977, and that any additional measures to protect nuclear facilities should be considered within the framework of international humanitarian law applicable in armed conflict.

"A view was expressed that there exists a very real risk of mass destruction from dissemination of radioactive substances through attacks on nuclear facilities. However, reservations were expressed as to whether a treaty prohibiting radiological weapons would be the appropriate instrument to deal with this problem particularly in view of the complexities involved.

"Some delegations also expressed the view that as a compromise the idea of holding separate negotiations on this question should be reflected in the text of the treaty or in a separate statement.

"Some delegations stressed that the future treaty on the prohibition of radiological weapons should contain an explicit commitment to pursue urgently the goal of the cessation of the nuclear arms race and the achievement of nuclear disarmament. They stated that the treaty should be looked upon as a positive step in the process of future negotiations aimed at banning all weapons of mass destruction.

"There was a general agreement that the scope of the treaty should, inter alia, cover a prohibition on the transfer of radiological weapons.

"As regards the definition, some delegations continued to maintain the position according to which radiological weapons could be defined with an exclusion clause concerning nuclear weapons. On the other hand, other delegations maintained the view that definition of radiological weapons should not contain such an exclusion clause because they thought that it would legitimize nuclear weapons. Some delegations did not agree with such interpretation of an exclusion clause. The Chairman submitted a new proposal for the definition.

"With regard to peaceful uses, it was stated by some delegations that the treaty on radiological weapons should recognize the inalienable rights of all States to develop and apply their programmes for peaceful use of radioactive materials and sources of radiation, including nuclear energy and right of free access and acquisition of related materials, equipment, information and technology. The view was expressed by these delegations that all States should undertake to contribute fully to the strengthening of international co-operation on peaceful uses of radioactive materials and sources of radiation including exchange and transfer of technology, equipment, materials, scientific information and know-how, taking into account the particular needs of developing countries for their economic and social development. Some delegations stated that a new provision should be included on promotion of international co-operation for the development of protective measures against harmful effects of radiation for the benefit of all countries, especially in providing assistance in this field to developing

countries. On the other hand, the view was expressed by some delegations that the provisions on peaceful uses in the treaty should not be too comprehensive or detailed, taking into account the main purpose of the treaty and in any event should not run counter to the goal of preventing the proliferation of nuclear weapons and to the commitments of States assumed under respective international agreements in this field. These delegations held that, under international law the provisions of a treaty can only apply to States parties to the given treaty. The Chairman submitted a new proposal on questions related to peaceful uses.

"In considering the procedures for verifying compliance it was maintained by some delegations that the procedures provided in the Chairman's consolidated text to solve problems which may arise with regard to the objectives and application of the future treaty correspond to the subject and scope of the prohibition of radiological weapons and could be regarded as relevant to the purpose of the future treaty. Some delegations maintained that the Security Council was the most suitable organ to take up the question when a party to the treaty considered that there had been a breach of obligations deriving from the provisions of the treaty, considering that such a breach may constitute a threat to international peace and security.

"Other delegations disagreed with these views and stated that the procedure to be devised for lodging of complaints under the treaty should not specifically refer to the United Nations Security Council. Some delegations believed that complaints should instead be lodged with the General Assembly.

"The view was expressed that the role of the Consultative Committee of Experts should be strengthened so as to include, inter alia, provisions for on-site inspections and that all States Parties should undertake to co-operate fully with the Consultative Committee of Experts with a view to facilitating the execution of its task. It was also suggested that if agreement cannot be reached in that Committee a report should be submitted containing all different opinions and the reasons given.

"Some progress was made in the Ad Hoc Working Group in finding formulations for the provisions relating to activities and obligations and relationship with other disarmament agreements (Articles IV and VI of the Chairman's consolidated text) but differences still exist regarding the reference to 'international arrangements' in Article IV and in connection with a proposal to refer to 'existing rules of international law' in Article VI of the Chairman's consolidated text.

"With respect to the procedure for submission of amendments to the treaty, the view was maintained that the Committee on Disarmament should be given the task of studying proposed amendments. On the other hand, some delegations believed that only the parties to the treaty should be entitled to participate in the procedure for amendments. An additional provision was suggested according to which, if requested to do so by one-third or more of the parties to the treaty, the depositary should convene a conference to which all the parties would be invited to consider amendment to the treaty.

"In connection with the clause on duration and withdrawal, while it was generally accepted that the treaty should be of unlimited duration, some reservations were expressed concerning the wording of the provision on withdrawal as contained in Article IX of the Chairman's consolidated text. In this context an alternative formulation was proposed.

"Some delegations suggested that review conferences should be convened at five year intervals, while others preferred 10 year intervals.

"Some delegations maintained that the treaty should enter into force upon the deposit of the instrument of ratification by 25 governments (including the nuclear weapon States). Other delegations suggested that the number of such ratifications should be reduced. Some delegations expressed the view that the requirement of ratification by the nuclear weapon States should be deleted.

#### IV. CONCLUSION

"During the current session, the Ad Hoc Working Group was able to make some progress towards the elaboration of a treaty banning radiological weapons. Nevertheless, considerable work remains to be done and some important and complex issues need to be resolved. In response to the desire that the elaboration of such a treaty be concluded before the second special session of the General Assembly devoted to disarmament, the Ad Hoc Working Group agreed to recommend to the Committee on Disarmament that it consider whether the Group should resume its work on 18 January 1982. The Ad Hoc Working Group also recommends that the Committee on Disarmament set up at the beginning of its 1982 session an 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."

118. At its 133rd plenary meeting of 30 June 1981, the Committee considered the proposal presented by Hungary in document CD/174 for informal meetings with the participation of qualified governmental experts, and decided to hold such meetings under this item. Three informal meetings were held and experts from some member States made statements concerning possible areas of new weapons development and gave an account of their potential in certain fields. No new weapons were reported to have made their appearance so far, and the possibility of their development is still a matter of controversy.

119. The attention of the Committee was drawn to a draft international agreement on the prohibition of the development and production of new types and systems of weapons of mass destruction, submitted by the USSR in 1977 (CCD/511/Rev.1). Some delegations felt that this issue was one of the most important and urgent, and that it required constant attention on the part of the Committee. They stressed the necessity to negotiate a comprehensive agreement on the prohibition of the development and production of new types and systems of weapons of mass destruction, as well as separate agreements prohibiting the emergence of specific new weapons of mass destruction. Other delegations did not fully share these views. Some felt that it would be sufficient to give periodic attention to this question. It was widely urged that there was a need for more in-depth information on recent trends in these fields..

120. The view was also expressed that the best way to keep this question under continuing review would be to establish a group of governmental experts. A proposal to this effect did not obtain consensus. Another proposal put forward was for the establishment by the General Assembly of the United Nations of a group of experts to review the recent trends in scientific developments, to identify any possible new weapons of mass destruction and to recommend the most appropriate means to prevent their emergence. It was also proposed instead that annual informal meetings with experts should be held under this item in the Committee on Disarmament. The Committee felt that this question should be kept under continuing review.

#### F. Comprehensive Programme of Disarmament

121. The item on the agenda entitled "Comprehensive programme of disarmament" was considered by the Committee, in accordance with its programme of work, from 5 to 13 March and from 20 to 24 July 1981. The Committee further considered this item during the periods 13 to 17 April and 3 to 7 August.

122. The following documents were presented to the Committee in connection with the item:

- (a) Document CD/155, dated 24 February 1981, submitted by the delegation of Italy, entitled "Working Paper: Comprehensive Programme of Disarmament -- 'Objectives'".
- (b) Document CD/160, dated 3 March 1981, submitted by the delegation of the Union of Soviet Socialist Republics, entitled "To strengthen peace, deepen détente, and curb the arms race".
- (c) Document CD/166, dated 23 March 1981, submitted by the delegation of the Union of Soviet Socialist Republics, entitled "Peace, disarmament and international security guarantees".
- (d) Document CD/172, dated 2 April 1981, submitted by the delegation of China, entitled "Working Paper on the Elements of a Comprehensive Programme of Disarmament".
- (e) Document CD/198, dated 20 July 1981, submitted by the delegations of Australia, Belgium, France, Germany, Federal Republic of, Japan and the United Kingdom of Great Britain and Northern Ireland, entitled "Working Paper: Comprehensive Programme of Disarmament".
- (f) Document CD/205, dated 31 July 1981, submitted by the delegations of Australia, Belgium, Germany, Federal Republic of, Japan and the United Kingdom of Great Britain and Northern Ireland, entitled "Draft Comprehensive Programme of Disarmament".
- (g) Document CD/208, dated 10 August 1981, submitted by the Group of 21, entitled "Working Paper on the chapter entitled 'Principles' of the Comprehensive Programme of Disarmament".
- (h) Document CD/214, dated 13 August 1981, submitted by the delegation of China, entitled "Working Paper on the Elaboration of a Comprehensive Programme of Disarmament".

(i) Document CD/223, dated 19 August 1981, submitted by the Group of 21, entitled "Working Paper on the chapter entitled 'Measures' of the Comprehensive Programme of Disarmament".

123. At its 105th plenary meeting on 12 February 1981, the Committee decided that the Ad Hoc Working Group on the Comprehensive Programme of Disarmament, established on 17 March 1980, should resume its work forthwith, in accordance with the conclusion reached by the Committee at its 100th plenary meeting (paragraph 68.16 of CD/139). The Committee further decided that the Ad Hoc Working Group should report to the Committee on the progress of its work at any appropriate time, and in any case before the conclusion of its 1981 session (document CD/151).

124. At its 107th plenary meeting on 17 February 1981, the Committee also decided to nominate the representative of Mexico as Chairman of the Ad Hoc Working Group.

125. At the 127th plenary meeting on 24 April 1981, the Chairman of the Ad Hoc Working Group made a statement reporting on the activities of the Ad Hoc Working Group during the first part of the annual session.

126. The Ad Hoc Working Group held 24 meetings between 19 February and 17 August 1981. As a result of its deliberations, the Ad Hoc Working Group submitted a report to the Committee (document CD/217 and Corr.1).

127. At its 148th plenary meeting on 20 August 1981, the Committee adopted the recommendation contained in paragraph 17 of the report, to the effect that the Ad Hoc Working Group should resume its work on 11 January 1982, and adopted the report of the Ad Hoc Working Group, which is an integral part of this report and reads as follows:

#### I. INTRODUCTION

"At its 105th plenary meeting on 12 February 1981, the Committee on Disarmament adopted the following decision relating to item 6 on its agenda:

'The Committee decides that the ad hoc working group on the comprehensive programme of disarmament established on 17 March 1980 shall resume its work forthwith in accordance with the conclusion reached by the Committee at its 100th plenary meeting (paragraph 68.16 of CD/139).'

In addition, the Committee on Disarmament 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 1981 session (document CD/151).

#### II. ORGANIZATION OF WORK AND DOCUMENTATION

"At its 107th plenary meeting on 17 February 1981, the Committee on Disarmament appointed Ambassador Alfonso García Robles (Mexico) as Chairman of the Ad Hoc Working Group. Miss Aida Luisa Levin, United Nations Centre for Disarmament, served as Secretary of the Ad Hoc Working Group.

"The Ad Hoc Working Group held 24 meetings between 19 February and 23 April and between 18 June and 17 August 1981.

"At their request, the Committee on Disarmament, at its 104th plenary meeting on 10 February 1981, decided to invite the representatives of the following States not members of the Committee to participate in the meetings of the Ad Hoc Working Group: Finland, Denmark, Spain, Austria and Norway.

"At the 127th plenary meeting of the Committee on Disarmament on 24 April 1981, the Chairman submitted an oral progress report on the work done by the Ad Hoc Working Group.

"In addition to the official documents of the Committee on Disarmament submitted under item 6 of its agenda and previous documents before the Ad Hoc Working Group, the following documents were submitted during the 1981 session:

- Working paper on 'Stages of Implementation', prepared by the representative of Nigeria, Ambassador Olu Adeniji, at the request of the Chairman. (CD/CPD/WP.17)
- Working paper on the nature of the Comprehensive Programme of Disarmament, prepared by the representative of Nigeria, Ambassador Olu Adeniji, at the request of the Chairman. (CD/CPD/WP.18)
- Working paper on 'Stages of Implementation', prepared by the representative of the United Kingdom, Ambassador Summerhayes, at the request of the Chairman. (CD/CPD/WP.19)
- Statement by the representative of the USSR on 5 March 1981, in response to the question posed by the Chairman regarding the position of his Government with respect to the 'Treaty on General and Complete Disarmament under Strict International Control', submitted to the ENDC in 1962. (CD/CPD/WP.20)
- Statement by the representative of the United States of America on 5 March 1981, in response to the question posed by the Chairman regarding the position of his Government with respect to the 'Outline of Basic Provisions of a Treaty on General and Complete Disarmament in a Peaceful World', submitted to the ENDC in 1962. (CD/CPD/WP.21)
- Working paper on the Comprehensive Programme of Disarmament, relating to the section 'Objectives', submitted by Italy. (CD/CPD/WP.22)
- Working Paper on the Comprehensive Programme of Disarmament, containing supplementary proposals on the measures. submitted by China. (CD/CPD/WP.24)
- Working paper on the Comprehensive Programme of Disarmament, containing further proposals on the measures, submitted by China. (CD/CPD/WP.25)
- Working paper on the Comprehensive Programme of Disarmament, submitted by Pakistan. (CD/CPD/WP.26)

- Working paper on the Comprehensive Programme of Disarmament, relating to the section 'Measures', submitted by Bulgaria, Czechoslovakia, German Democratic Republic, Hungary, Mongolia, Poland and the Union of Soviet Socialist Republics. (CD/CPD/WP.28)
- Working paper containing a draft text for the section of the Comprehensive Programme of Disarmament entitled 'Principles', submitted by Czechoslovakia. (CD/CPD/WP.13/Add.1)
- Working paper on the Comprehensive Programme of Disarmament, submitted by Italy. (CD/CPD/WP.30)
- Working paper on the objectives of a Comprehensive Programme of Disarmament, submitted by China. (CD/CPD/WP.31)
- Working paper containing a draft text for the section of the Comprehensive Programme of Disarmament entitled 'Objectives', submitted by Mexico. (CD/CPD/WP.3/Rev.1)
- Working paper on the Comprehensive Programme of Disarmament, submitted by Australia, Belgium, France, Germany, Federal Republic of, Japan and the United Kingdom of Great Britain and Northern Ireland. (CD/CPD/WP.33)
- Working paper containing a text for the section of the Comprehensive Programme of Disarmament entitled 'Objectives', submitted by Bulgaria. (CD/CPD/WP.35)
- Working paper on the Comprehensive Programme of Disarmament, submitted by the Group of 21. (CD/CPD/WP.36 and Corr.1 and Adds.1-3)
- Working paper on the Comprehensive Programme of Disarmament, containing proposals with respect to nuclear weapons, submitted by Australia. (CD/CPD/WP.37)
- Working paper on the Comprehensive Programme of Disarmament, containing proposals with respect to zones of peace, submitted by Australia. (CD/CPD/WP.38)
- Working paper containing amendments to the section 'Nuclear weapons' (Stage I) of document CD/CPD/WP.27, submitted by France. (CD/CPD/WP.39)
- Working paper containing amendments to the section 'Nuclear weapons' (Stage I) of document CD/CPD/WP.27, submitted by the Union of Soviet Socialist Republics. (CD/CPD/WP.40)
- Working paper on the Comprehensive Programme of Disarmament, submitted by Poland. (CD/CPD/WP.42)
- Working paper containing a draft text for the section of the Comprehensive Programme of Disarmament entitled 'Machinery and Procedure', submitted by the German Democratic Republic and Venezuela. (CD/CPD/WP.43)
- Working paper on the first stage of nuclear disarmament measures of the Comprehensive Programme of Disarmament, submitted by China. (CD/CPD/WP.44)

- Working paper containing amendments to the section 'Nuclear weapons' (Stage I) of document CD/CPD/WP.27, submitted by Bulgaria, Czechoslovakia, German Democratic Republic, Hungary, Mongolia, Poland and the Union of Soviet Socialist Republics. (CD/CPD/WP.45)
- Working paper containing amendments to the sections 'Conventional weapons and armed forces' and 'Measures aimed at achieving relaxation of international tension' (Stage I) of document CD/CPD/WP.27, submitted by the German Democratic Republic. (CD/CPD/WP.46)
- Working paper containing amendments to the section 'Nuclear weapons' (Stage I) of document CD/CPD/WP.27, submitted by the German Democratic Republic and the Union of Soviet Socialist Republics. (CD/CPD/WP.47)
- Working paper containing amendments to the section 'Other measures' (Stage I) of document CD/CPD/WP.27, submitted by Poland. (CD/CPD/WP.48)
- Working paper containing amendments to the section 'Other measures' (Stage I) of document CD/CPD/WP.27, submitted by Bulgaria. (CD/CPD/WP.49)
- Working paper containing amendments to the section 'Other measures' (Stage I) of document CD/CPD/WP.27, submitted by Mongolia. (CD/CPD/WP.50)
- Working paper containing amendments to the section 'Other measures' (Stage I) of document CD/CPD/WP.27, submitted by the Union of Soviet Socialist Republics. (CD/CPD/WP.51)
- Draft Comprehensive Programme of Disarmament, submitted by Australia, Belgium, Germany, Federal Republic of, Japan and the United Kingdom of Great Britain and Northern Ireland. (CD/CPD/WP.52)
- Working paper containing amendments to the section 'Other measures' (Stage I) of document CD/CPD/WP.27, submitted by Nigeria, Poland and Venezuela. (CD/CPD/WP.53)
- Working paper on the chapter entitled 'Principles' of the Comprehensive Programme of Disarmament, submitted by the Group of 21 (CD/CPD/WP.55)

In addition, the Secretariat prepared the following documents:

- Tabulation of Measures that are not explicitly included in the tabulations contained in documents CD/CPD/WP.11 and 14 (CD/CPD/WP.23)
- Results of the preliminary examination of chapters V ('Measures') and VI ('Stages of implementation') of the Comprehensive Programme of Disarmament. (CD/CPD/WP.27)
- Tabulation of the Principles contained in the Final Document of the first special session of the General Assembly devoted to Disarmament. (CD/CPD/WP.29)
- Tabulation of the Objectives contained in the Final Document of the first special session of the General Assembly devoted to Disarmament. (CD/CPD/WP.32)

- Tabulation of the provisions concerning Machinery and Procedure contained in the Final Document of the first special session of the General Assembly devoted to disarmament. (CD/CPD/WP.34)
- Compilation of certain proposals concerning Machinery and Procedure listed in paragraph 125 of the Final Document of the tenth special session of the General Assembly. (CD/CPD/WP.41)
- Results of the examination of Stage-I measures contained in document CD/CPD/WP.27 and of written and oral proposals made in connection therewith. (CD/CPD/WP.54)

### III. SUBSTANTIVE WORK DURING THE 1981 SESSION

"The Ad Hoc Working Group continued the consideration of the Comprehensive Programme of Disarmament on the basis of the outline adopted in 1980, which contains the following chapters: Introduction or Preamble; Objectives; Principles; Priorities; Measures; Stages of Implementation; and Machinery and Procedures.

"The Ad Hoc Working Group decided to defer the consideration of the Introduction or Preamble pending the examination of the substantive chapters of the Comprehensive Programme of Disarmament in view of the fact that the form and substance of the latter would determine its character and content.

"The Ad Hoc Working Group completed a preliminary examination of all the substantive chapters of the Programme. In the case of the chapters concerning measures and stages of implementation, which were considered in conjunction with each other, the Working Group was also able to have a second round of more detailed discussions on measures for a first stage. It was understood that in this preliminary phase of the Group's work no definite conclusions would be reached on the matters under discussion.

"The Ad Hoc Working Group began the consideration of each chapter with an examination of the relevant provisions of the Final Document on the basis of tabulations prepared by the Secretariat, which, in the case of the measures, also included the measures provided for in the elements of the comprehensive programme of disarmament elaborated by the Disarmament Commission in 1979 and in the Declaration of the 1980s as the Second Disarmament Decade. The Working Group then examined the available working papers which in whole or in part related to each chapter. Doubts were expressed in several cases about the appropriateness of including particular proposals in a particular chapter. It was agreed that the Working Group would be in a better position to settle such problems at a later stage.

"With respect to the objectives of the Programme, the inclusion of the relevant provisions of the Final Document as contained in document CD/CPD/WP.32 was approved. At the same time, it was suggested that in the context of the Comprehensive Programme of Disarmament those provisions required further elaboration. In addition, consideration was given to the following working papers: CD/CPD/WP.3/Rev.1, CD/CPD/WP.4, CD/CPD/WP.5, CD/CPD/WP.22, CD/CPD/WP.31, CD/CPD/WP.33 and CD/CPD/WP.35. Some of the proposals contained in these

working papers were also approved on a preliminary basis, although in some cases questions were raised as to whether a particular text defined an objective. Other proposals gave rise to various objections, some having to do with drafting and others with matters of substance.

"Similarly, the Ad Hoc Working Group approved the inclusion of the principles for disarmament negotiations contained in paragraphs 26 to 42 of the Final Document as well as other provisions of that document that could be considered principles, as presented in the relevant tabulation (CD/CPD/WP.29). It was suggested that the Comprehensive Programme of Disarmament should stress, above all, the principles contained in the Final Document. The Working Group also examined the following working papers: CD/CPD/WP.6, CD/CPD/WP.8, CD/CPD/WP.10 and CD/CPD/WP.13/Add.1. As in the case of the objectives, preliminary agreement was reached on some proposals, while on others differing views were expressed. The Working Group also had an exchange of views on the question of what should be considered a 'principle'. It was observed that various texts under consideration, including paragraphs of the Final Document, did not strictly speaking constitute 'principles'. It was suggested that this question could be decided later and that consideration could be given to the possibility of using a broader heading for the chapter in question, such as 'Principles and Guidelines'

"With respect to priorities, the inclusion of paragraphs 45 and 46 of the Final Document was approved.

"With respect to machinery and procedures, the Ad Hoc Working Group approved the inclusion of the provisions of the Final Document, as contained in document CD/CPD/WP.34. The view was expressed that in elaborating this chapter of the Programme the Working Group would have to take account of developments that had taken place since the first special session within the framework of the United Nations system related to machinery and procedures. In this respect, the establishment of the United Nations Institute for Disarmament Research was mentioned by some delegations. The view was also expressed that consideration should be given to the need for the development of international institutions, as contemplated in the 1962 draft treaties for general and complete disarmament (CD/CPD/WP.7 and Add.1) and in various proposals submitted to the tenth special session of the General Assembly, listed in paragraph 125 of the Final Document (CD/CPD/WP.41). It was suggested that the structure of the section on machinery and procedure of the elements of the comprehensive programme of disarmament worked out by the Disarmament Commission should serve as a model. It was noted that the two approaches were not incompatible and that within the framework of the elements prepared by the Disarmament Commission it would be appropriate to consider new ideas such as those contained in the proposals presented at the special session. The view was expressed that the Working Group should not prejudge the conclusions of the study of institutional arrangements to be submitted to the General Assembly at its thirty-sixth session: \*/

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\*/ During the consideration of the report leading to its adoption, some delegations suggested that the question of machinery and procedures had been adequately elaborated in the Final Document of the special session. In this connection, reference to the relevant provisions of the Final Document in the draft Comprehensive Programme of Disarmament would be sufficient. Several other delegations maintained that the content of the present paragraph was adequate.

In the first round of discussions, the Ad Hoc Working Group identified measures using a four-stage programme as a working hypothesis for the stages of implementation. It was understood that this did not imply any commitment on the part of any delegation. Apart from the measures provided for in the Final Document, in the elements of the comprehensive programme of disarmament elaborated by the Disarmament Commission and in the Declaration of the 1980s as the Second Disarmament Decade, the Working Group examined additional measures proposed in the following documents: CD/128, CD/166, CD/CPD/WP.4, 9, 24, 25 and 26. With respect to the draft treaties for general and complete disarmament that the Soviet Union and the United States submitted to the Eighteen-Nation Disarmament Committee in 1962, which had been circulated as documents of the Working Group (CD/CPD/WP.7 and Add.1), the representatives of those States made statements in response to the question posed by the Chairman regarding the position of their respective Governments in relation thereto (CD/CPD/WP.20 and 21). The results of the preliminary examination of measures according to stages of implementation are reflected in document CD/CPD/WP.27. That document constituted the framework for a further and more detailed examination of the measures to be included in the Comprehensive Programme of Disarmament. In that context, consideration was given to additional proposals contained in the following documents: CD/CPD/WP.28, CD/CPD/WP.30, CD/CPD/WP.33, CD/CPD/WP.36 and Add.1, CD/CPD/WP.37, CD/CPD/WP.38, CD/CPD/WP.39, CD/CPD/WP.40, CD/CPD/WP.42, CD/CPD/WP.44, CD/CPD/WP.45, CD/CPD/WP.46, CD/CPD/WP.47, CD/CPD/WP.48, CD/CPD/WP.49, CD/CPD/WP.50, CD/CPD/WP.51, CD/CPD/WP.52 and CD/CPD/WP.53. As noted earlier, the second round of discussions covered measures for a first stage. Different views were expressed on the specific measures under consideration and on questions of a general nature, such as, the way in which the measures should be defined and the relationship between the determination of the measures to be included in the Programme, on the one hand, and the clarification of the concept of stages, on the other hand. The results of the deliberations are reflected in document CD/CPD/WP.54 which is annexed to this report.

"At the beginning of its work during the 1981 session, the Ad Hoc Working Group devoted its first two meetings to a general discussion of the questions of time frames and the nature of the Programme, two matters that had given rise to differing views in the course of the 1980 session, as indicated in the Working Group's report to the Committee (document CD/139, paragraphs 68.13 and 15). At the request of the Chairman, working papers were submitted presenting the different positions on those matters (CD/CPD/WP.17, 18 and 19), which provided a basis for a useful exchange of views. However, there was general agreement that the search for common grounds would be more productive at a later stage when delegations would have a clearer picture of the content of the Programme. Other working papers which were subsequently submitted to the Working Group by delegations also addressed these matters, but no further discussion took place on the basis of these later papers.

#### IV. CONCLUSION

"During the current session, the Ad Hoc Working Group was able to make good progress towards the elaboration of the Comprehensive Programme of Disarmament. Nevertheless, considerable work remains to be done in resolving several important and complex issues involved in the elaboration of the Programme, in particular, issues relating to measures, stages and nature of the Programme. Consequently, and bearing in mind that the Committee on Disarmament has been called upon to conclude negotiations on the Programme in time for its submission to the second special session of the General Assembly devoted to disarmament, the Working Group agreed to recommend to the Committee that the Group should resume its work on 11 January 1982."

Results of the examination of Stage-1 measures contained in document CD/CPD/WP.27 and of written and oral proposals \* made in connection therewith

Stage I

I. Disarmament Measures

A. Nuclear weapons

1. Nuclear test ban \*\*/

[The immediate conclusion of a nuclear test ban treaty would make a significant contribution to the aim of ending the qualitative improvement of nuclear weapons and the development of new types of such weapons and of preventing the proliferation of nuclear weapons.

(a) The Committee on Disarmament should undertake without further delay multilateral negotiations on a nuclear test ban treaty. Such a treaty should aim at the general and complete cessation of the testing of nuclear weapons by all States in all environments for all time to come. It should be equitable and non-discriminatory and thus be able to attract universal adherence. The treaty should include a verification system also negotiated in the Committee on Disarmament and to which all States will have access.

(b) The parties who have been engaged in trilateral negotiations on a "treaty prohibiting nuclear weapon tests and a protocol covering peaceful nuclear explosions which would be an integral part of the treaty" should immediately resume and intensify their negotiations and submit full information on the progress of their talks to the Committee on Disarmament, so as to contribute to and assist multilateral negotiations on the treaty.]

[In view of the fact that the prohibition of nuclear weapon testing, being one of the measures to halt the nuclear arms race, constitutes an integral part of the entire nuclear disarmament process, and that the CTB should be implemented on an equitable and verifiable basis, the two States with the

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\*/ The written proposals are contained in documents CD/CPD/WP.28, CD/CPD/WP.30, CD/CPD/WP.33, CD/CPD/WP.36 and Add.1, CD/CPD/WP.37, CD/CPD/WP.38, CD/CPD/WP.39, CD/CPD/WP.40, CD/CPD/WP.42, CD/CPD/WP.44, CD/CPD/WP.45\*, CD/CPD/WP.46, CD/CPD/WP.47, CD/CPD/WP.48, CD/CPD/WP.49, CD/CPD/WP.50, CD/CPD/WP.51, CD/CPD/WP.52 and CD/CPD/WP.53.

\*\*/ One delegation proposed the inclusion of the following text under (2) below ("Cessation of the nuclear arms race and nuclear disarmament"): "Nuclear test ban; cessation of the qualitative improvement and development of nuclear weapon systems."

largest nuclear arsenals should undertake the obligation of immediate and permanent cessation of nuclear-weapon tests, and take effective steps to reduce the enormous gap between their nuclear armaments and those of the other nuclear-weapon States, thereby creating necessary conditions for the other nuclear-weapon States to accede to permanent cessation of nuclear-weapon testing.]

[All efforts should be exerted during this phase in the appropriate forum, to negotiate with a view to reaching agreement on a treaty prohibiting nuclear weapon tests, and a protocol concerning nuclear explosions for peaceful purposes, which would be an integral part of the treaty.]

[In the first phase, the following steps should be pursued, including the universal adherence to, full implementation of and assurance of strict compliance with the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and Under Water.]

## 2. Cessation of the nuclear arms race and nuclear disarmament:

[The cessation of the nuclear arms race in all its aspects and substantial progress towards the achievement of nuclear disarmament would constitute important measures during the first stage of the Comprehensive Programme of Disarmament. In the task of achieving the goals of nuclear disarmament, all the nuclear-weapon States, in particular those among them which possess the most important nuclear arsenals, bear a special responsibility. The process of nuclear disarmament should be carried out in such a way, and requires measures to ensure, that the security of all States is guaranteed at progressively lower levels of nuclear armaments, taking into account the relative qualitative and quantitative importance of the existing arsenals of the nuclear-weapon States and other States concerned. The prevention of the outbreak of a nuclear war should also be considered as a matter of urgent priority in the first stage.]

[While the achievement of general and complete disarmament under the Programme is the responsibility of all States, the nuclear-weapon States have the primary responsibility for nuclear disarmament and, together with other militarily significant States, for halting and reversing the world-wide arms build-up. A balance should be ensured between the measures to be taken in different disarmament fields, taking into account the situation of nuclear and conventional armaments, in order to avoid destabilizing effects. Negotiations on disarmament and arms control agreements should be conducted on a bilateral or regional, multilateral or global level, depending on how in each case effective disarmament agreements can most readily be achieved. The international disarmament machinery should ensure that all disarmament issues are being dealt with in an appropriate context. The objective of the first phase would be the successful conclusion of the negotiations currently in progress.]

(a). [Pursuit of measures aimed at the] cessation of the qualitative improvement and development of nuclear weapon systems.

[Negotiations, during the first stage of the Comprehensive Programme of Disarmament, to achieve an agreement or agreements, for the prohibition of:

- (i) the development, production, deployment and stockpiling of multiple independently retargetable vehicles and on the complete destruction of their stockpiles;
- (ii) the research, development and testing of new nuclear weapon systems, covering all categories of nuclear warheads and their delivery systems;

- (iii) the replacement of nuclear weapons systems currently deployed, by new and modernized versions of such systems;
- (iv) the development, testing and deployment of anti-satellite weapons systems;
- (v) the development, testing and deployment of anti-ballistic missile systems.]

(b) [Pursuit of measures aimed at the] cessation of the production of all types of nuclear weapons and their means of delivery, and of the production of fissionable material for weapons purposes.

[Along with measures to halt the technological arms race in nuclear weapons, steps should be taken to halt the production of such weapons and their means of delivery along with a cessation of production of fissionable material for weapons purposes.]

Commencement of negotiations on an agreement to bring about a cessation of the production of nuclear weapons and their means of delivery along with an agreement to halt the production of fissionable material for weapons purposes. Such an agreement could be negotiated in the following step-by-step manner:

- (i) Declarations by all nuclear-weapon States, at a mutually agreed date, of their existing stockpiles of nuclear weapons and their means of delivery and of their existing and proposed facilities for the production of nuclear weapons, delivery systems of such weapons and for fissionable material for weapons purposes to be submitted to the United Nations Secretary-General.
- (ii) Negotiations on measures of verification, both by national technical means and international measures, including on-site inspection to establish the base on which the treaty prohibiting the production of nuclear weapons, their means of delivery and the production of fissionable material for weapons purposes, would be implemented.
- (iii) Negotiations on the general and complete prohibition of the production of fissionable material for weapons purposes, along with a cessation of production of nuclear weapons involving the application of international safeguards to all nuclear facilities in all States to prevent the diversion of fissionable material for weapons purposes. Such international safeguards would be applied on a universal and non-discriminatory basis to all States.]

[Cessation of the production of all types of nuclear weapons, and gradual reduction of stockpiles of such weapons up to and including their complete elimination; to this end, appropriate negotiations should immediately be initiated with the participation of all nuclear-weapon States and of a certain number of non-nuclear-weapon States. At the same time, measures should be taken to strengthen the political and international legal guarantees of the security of States.]

[Bearing in mind paragraph 48 of the Final Document of the first special session of the United Nations General Assembly devoted to disarmament: "In the task of achieving the goals of nuclear disarmament, all the nuclear-weapon States, in

particular those among them which possess the most important nuclear arsenals, bear a special responsibility", and in order to achieve the ultimate goal of nuclear disarmament, namely, the complete prohibition and total destruction of nuclear weapons, the following measures should first be taken:

The two States with the largest nuclear arsenals should immediately halt the nuclear arms race, cease all activities aimed at improving the quality and increasing the quantity of their nuclear weapons and take the lead in reducing their nuclear weapons and means of delivery. Thereafter, the other nuclear-weapon States should join them in reducing their nuclear weapons according to reasonable ratios.]

(c) [Pursuit of measures aimed at the] commencement of the reduction of stockpiles of nuclear weapons and their means of delivery [, leading to their ultimate and complete elimination at the earliest possible time.]

(d) [Determination of the content of specific measures for the cessation of the nuclear arms race and nuclear disarmament decided by agreements among the participants in the future negotiations.]

(e) [Determination of the degree of participation of individual nuclear-weapon States in measures of nuclear disarmament, taking into account the quantitative and qualitative importance of the existing arsenals of the nuclear-weapon States and of other States concerned.]

(f) [Maintaining undisturbed, both at this stage and at the following stage, the existing balance in the sphere of nuclear strength, with a constant lowering of nuclear strength levels.]

(g) [The conclusion of a world treaty on the non-use of force in international relations.]

### 3. Avoidance of the use of nuclear weapons and prevention of nuclear war:

Pending the achievement of nuclear disarmament for which negotiations should be vigorously pursued and bearing in mind the devastating results which a nuclear war would have on belligerents and non-belligerents alike, urgent measures should be negotiated to prevent the outbreak of a nuclear war and avoidance of the use of nuclear weapons. In this context, in Stage I, negotiations on the following measures should be concluded without delay:

(a) [Effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, taking into account all proposals and suggestions that have been made in this regard.]

[A binding international instrument to assure non-nuclear-weapon States, without any conditions, qualifications or restrictions, against the use or threat of use of nuclear weapons.]

[The conclusion of a convention on strengthening guarantees of the security of non-nuclear-weapon States.]

[In view of the pressing need for the elimination of nuclear threats against non-nuclear-weapon States, all nuclear-weapon States should unconditionally undertake the obligation not to use or threaten to use nuclear weapons against non-nuclear-weapon States.]

(b) [Measures to secure the avoidance of the use of nuclear weapons, the prevention of nuclear war and related objectives, where possible through international agreement, bearing in mind various proposals designed to secure these objectives and in accordance with paragraphs 57 and 58 of the Final Document, and thereby to ensure that the survival of mankind is not endangered.]

[An international agreement prohibiting the use or the threat of use of nuclear weapons.]

[A permanent ban on the use of nuclear weapons and renunciation by all States of the use of force in their relations with one another.]

(c) [Measures to improve communications between Governments, particularly in areas and periods of tension, by the establishment of hot lines and other methods of reducing the risk of conflict, especially a nuclear conflict. Such measures should clarify the role of nuclear-weapon States and non-nuclear-weapon States in the prevention of the outbreak of a nuclear war, especially through accident, miscalculation or failure of communication.]

[The elaboration of measures to prevent the unauthorized or accidental use of nuclear weapons.]

4. [Continuation of negotiations on nuclear disarmament between the Union of Soviet Socialist Republics and the United States:

(a) Immediate ratification by the Union of Soviet Socialist Republics and the United States of the SALT-II Agreement.

(b) The initiation, without delay, of further negotiations on the limitation and reduction of strategic armaments between the Union of Soviet Socialist Republics and the United States leading to agreed significant reductions of, and qualitative limitations on, strategic arms. These negotiations should culminate, as soon as possible, in Stage I, in a treaty which should achieve:

(i) a reduction of at least 20 per cent in the numbers of nuclear warheads and strategic delivery vehicles in the arsenals of the Union of Soviet Socialist Republics and the United States.

(ii) comprehensive limitations on the qualitative improvement of strategic armaments, including restrictions on the development, testing and deployment of new types of strategic armaments.]

[Negotiations on the limitation and reduction of strategic arms between the Union of Soviet Socialist Republics and the United States of America.]

[The urgent ratification by the United States of America and the Union of Soviet Socialist Republics of the SALT-II Treaty. The continuation of negotiations on the further limitation of strategic arms between the United States of America and the Union of Soviet Socialist Republics. The inclusion in these negotiations, at an appropriate time, of all nuclear-weapon Powers.]

[A continuation of the process aimed at agreed significant reductions of, and qualitative limitations on, strategic nuclear arms.] \*/

\*/ The introductory language contained in the text pertaining to a treaty prohibiting nuclear weapon tests and a protocol concerning nuclear explosions for peaceful purposes, appearing on page 85, paragraph 1, also applies to this measure.

[The early conclusion of an agreement negotiated between the States participating in the Conference on Security and Co-operation in Europe to achieve on the basis of the principle of undiminished security, a substantial reduction of medium range and other nuclear-weapon delivery systems and warheads deployed with respect to the European theatre.]

[Further limitation and reduction of strategic armaments and their further limitation in a qualitative sense, taking into account all the factors affecting the strategic situation throughout the world, including Europe. The question of medium-range missiles in Europe should be discussed without delay, simultaneously and in organic combination with the question of United States forward-based nuclear weapons. This discussion should lead to appropriate agreements which could be implemented after ratification of the SALT-II Treaty. The decision to produce and deploy new types of medium-range missiles in Western Europe should also be revoked on this basis.]

[Pursuit of negotiations on the limitation and reduction of theatre nuclear forces based on the principle of equality within the SALT framework.] \*/

5. Further steps to prevent the spread of nuclear weapons, in accordance with the provisions of paragraphs 65 to 71 of the Final Document:

[The nuclear-weapon States and the non-nuclear-weapon States should jointly take further steps to develop an international consensus of ways and means, on a universal and non-discriminatory basis, to prevent the proliferation of nuclear weapons as an integral part of the efforts to halt and reverse the arms race. The goal of nuclear non-proliferation is on the one hand to prevent the emergence of any additional nuclear-weapon States besides the existing five nuclear-weapon States -- (horizontal proliferation) -- and on the other, progressively to reduce and eventually eliminate nuclear weapons altogether -- (vertical proliferation). The international consensus on nuclear non-proliferation should include the following:

(a) measures for the cessation of the nuclear arms race and nuclear disarmament mentioned above;

(b) the full exercise of the inalienable rights of all States to apply and develop their programmes for the peaceful uses of nuclear energy for economic and social development in conformity with their priorities, interests and needs;

(c) unhindered access for all States to nuclear technology, including its latest achievements, equipment and materials for peaceful uses of nuclear energy, taking into account the particular needs of the developing countries;

(d) respect for each country's choices and decisions in the field of the peaceful uses of nuclear energy without jeopardizing their respective fuel cycle policies or international co-operation, agreements or contracts for the peaceful uses of nuclear energy;

(e) agreed measures of verification applied on a universal and non-discriminatory basis.]

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\*/ The introductory language contained in the text pertaining to a treaty prohibiting nuclear weapon tests and a protocol concerning nuclear explosions for peaceful purposes, appearing on page 85, paragraph 1, also applies to this measure.

[Effective measures at the national level and through international agreements to prevent the proliferation of nuclear weapons without jeopardizing energy supplies or the development of nuclear energy for peaceful purposes. Such measures should include:

(a) universal adherence to and full implementation of all the provisions of existing instruments on non-proliferation, in particular the Treaty on the Non-Proliferation of Nuclear Weapons;

(b) the full implementation and strengthening of agreed and appropriate international safeguards applied through the International Atomic Energy Agency on a non-discriminatory basis;

(c) the development of further ways and means, on a universal and non-discriminatory basis, to prevent the proliferation of nuclear weapons.]

[Adoption of further measures to strengthen the régime of non-proliferation of nuclear weapons and, to that end, the achievement of universal application of the Treaty on the Non-Proliferation of Nuclear Weapons.]

[The Treaty on the Non-Proliferation of Nuclear Weapons; additional measures to strengthen the non-proliferation régime should be undertaken, including further measures for the full implementation and strengthening of agreed and appropriate international safeguards applied through the IAEA on a non-discriminatory basis.] \*/

#### 6. Establishment of nuclear-weapon-free zones:

The establishment of nuclear-weapon-free zones on the basis of agreements freely arrived at among the States of the region concerned constitute an important disarmament measure and should be encouraged with the ultimate objective of achieving a world entirely free of nuclear weapons, taking into account the characteristics of each region. While the States participating in such zones should undertake to comply fully with all the objectives, purposes and principles of the agreements or arrangements establishing the zones, thus ensuring that they are genuinely free from nuclear weapons, the nuclear-weapon States are called upon to give undertakings, in particular: (i) to respect strictly the status of the nuclear-weapon-free zone; (ii) to refrain from the use or threat of use of nuclear weapons against the States of the zone.

[In view of the need to safeguard regional and world peace and security, all nuclear-weapon States should actively support the initiatives taken by the States of the areas concerned for the establishment of nuclear-weapon-free zones in the various regions, strictly respect the status of the nuclear-weapon-free zones, and unconditionally undertake the obligation not to use or threaten to use nuclear weapons against such zones. All States belonging to a nuclear-weapon-free zone should undertake to abide by the agreement on the zone.] \*\*/

(a) Adoption by the States concerned of all relevant measures to ensure the full application of the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco), taking into account the views expressed on the adherence to it at the tenth special session of the General Assembly, the General Conferences of OPANAL and other relevant fora.

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\*/ The introductory language contained in the text concerning the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and Under Water, appearing on page 85, paragraph 1, also applies to these measures.

\*\*/ This text is included in brackets with the understanding that it should be taken into account in the drafting stage.

(b) Ratification of Additional Protocol I of the Treaty of Tlatelolco by all States concerned.

(c) In Africa the Organization of African Unity has affirmed the denuclearization of the continent. The United Nations General Assembly in successive resolutions has supported the African initiative for the denuclearization of the continent and at its tenth special session the General Assembly, by consensus, called upon the Security Council to take appropriate effective steps to prevent the frustration of this objective. The main threat to nuclear proliferation in Africa and to the peace and security of the continent arises from the nuclear capability of South Africa. To assist the implementation of the Declaration on the denuclearization of Africa, therefore, all States should:

(i) keep a constant watch on South Africa's nuclear capability;

(ii) refrain from any co-operation with South Africa in the nuclear field which would assist the apartheid régime in manufacturing nuclear weapons.\*/

(d) The establishment of a nuclear-weapon-free zone in the Middle East in compliance with General Assembly resolution 35/147 would greatly enhance international peace and security. Pending the establishment of such a zone in the region, States of the region should solemnly declare that they will refrain on a reciprocal basis from producing, acquiring or in any other way possessing nuclear weapons and nuclear explosive devices and from permitting the stationing of nuclear weapons on their territory by any third party, and agree to place all their nuclear activities under International Atomic Energy Agency safeguards. Consideration should be given to a Security Council role in advancing the establishment of a nuclear-weapon-free zone in the Middle East.

(e) All States in the region of South Asia have expressed their determination to keep their countries free of nuclear weapons. No action should be taken by them which might deviate from that objective. In this context, the question of establishing a nuclear-weapon-free zone in South Asia has been dealt with in several resolutions of the General Assembly, which is keeping the subject under consideration.

(f) Efforts to create nuclear-weapon-free zones in other regions of the world should be promoted [at the initiative of States which intend to become part of the zone.]

(g) Ensuring that the zones are genuinely free from nuclear weapons and respect for such zones by nuclear-weapon States constitute an important disarmament measure. \*\*/

7. [Conclusion of a treaty on the non-stationing of nuclear weapons on the territory of States where there are no such weapons at present.]

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\*/ Some delegations reserved their position on this text.

\*\*/ This text is included with the understanding that its content and placement require further consideration.

8. [In order to ensure reliable guarantees for the implementation of nuclear disarmament measures, it is necessary to have adequate and strict verification of all aspects of the process of nuclear disarmament. This calls for supervision by national technical means of verification as well as effective means of international verification.]

When the first stage of nuclear disarmament measures have been implemented and adequately verified, such measures of the second stage could be started.]\*

B. Other weapons of mass destruction

1. [The Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed in Geneva on 17 June 1925.] \*\*/

2. [Universal adherence to the Convention on the Prohibition of the Development Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction.]

3. [Conclusion of a convention on the prohibition of the development, production and stockpiling of all chemical weapons and on their destruction.]

[Conclusion of an international convention on the prohibition of chemical weapons and on their destruction.]

[Conclusion of an international convention on the complete prohibition of the development, production, stockpiling and use of all chemical weapons and the destruction of these weapons.]

4. [Conclusion of a treaty on the prohibition of the development, production and use of radiological weapons.]

[Conclusion of a treaty on the prohibition of radiological weapons.]

5. Prevention of the emergence of new types of weapons of mass destruction and new systems of such weapons:

(a) [Efforts should be appropriately pursued aiming at the prohibition of such new types and new systems of weapons of mass destruction. Specific agreement could be concluded on particular types of new weapons of mass destruction which may be identified. This question should be kept under continuing review.]

[Commencement of negotiations with a view to concluding an agreement or agreements on the prevention of the emergence of new types of weapons of mass destruction and new systems of such weapons taking into account recent developments in science and technology.]

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\*/ This text is included with the understanding that its content and placement require further consideration.

\*\*/ The introductory language contained in the text concerning the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and Under Water, appearing on page 85, paragraph 1, also applies to this measure.

[The conclusion of a comprehensive agreement prohibiting the development and production of new types of weapons of mass destruction and new systems of such weapons and the conclusion of specific agreements on particular new types and new systems of weapons of mass destruction.]

6. [Conclusion of a convention prohibiting the production, stockpiling, deployment and use of nuclear neutron weapons.]

C. Conventional weapons and armed forces

1. Cessation of the conventional arms race:

(a) The limitation and gradual reduction of armed forces and conventional weapons should be resolutely pursued within the framework of progress towards general and complete disarmament.

2. Agreements and measures, multilateral, regional and bilateral, on the limitation and reduction of conventional weapons and armed forces:

(a) In particular the achievement of a more stable situation in Europe at a lower level of military potential on the basis of approximate equality and parity, as well as on the basis of undiminished security of all States with full respect for security interests and independence of States outside military alliances, by agreement on appropriate mutual reductions and limitations would contribute to the strengthening of security in Europe and constitute a significant step towards enhancing international peace and security. Current efforts to this end should be continued most energetically.

(b) Bilateral, regional and multilateral consultations and conferences should be held where appropriate conditions exist with the participation of all the countries concerned for the consideration of different aspects of conventional disarmament, such as the initiative envisaged in the Declaration of Ayacucho subscribed to by eight Latin American countries on 9 December 1974.

(c) The achievement of an agreement on mutual reduction of armed forces and armaments and associated measures in central Europe.

(d) Measures, multilateral, regional and bilateral on the limitation and reduction of conventional weapons and armed forces, in accordance with the relevant provisions of the Final Document.

3. Consultations among major arms suppliers and recipients on the international transfer of conventional weapons:

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

4. Prohibitions or restrictions of use of certain conventional weapons, including those which may cause unnecessary suffering or which may have indiscriminate effects:

(a) Signature and ratification of the agreement negotiated by the United Nations Conference on Prohibitions or Restrictions of Use of Certain Conventional Weapons which may be Deemed to be Excessively Injurious or to have Indiscriminate Effects.

(b) Broadening of the prohibitions or restrictions of use of certain conventional weapons which may be deemed to be excessively injurious or to have indiscriminate effects, either through amendments to the existing Protocols or through the conclusion of additional Protocols, in accordance with Article 8 of the Convention on Prohibitions or Restrictions of Use of Certain Conventional Weapons which may be Deemed to be Excessively Injurious or to have Indiscriminate Effects.

(c) The result of the Conference should be considered by all States, especially producer States, in regard to the question of the transfer of such weapons to other States.

[The United Nations Convention on Prohibitions or Restrictions of Use of Certain Conventional Weapons which may be Deemed to be Excessively Injurious or to have Indiscriminate Effects; establishment of appropriate methods and procedures facilitating full and effective implementation of and ensuring compliance with the Convention, so as to guarantee the fulfilment of its humanitarian obligations, thus improving the security of the parties to the Convention.]\*/

[Agreements and other measures relating to the limitation and reduction of armed forces and conventional weapons should be achieved taking into account the right of all States to protect their security, bearing in mind the inherent right of self-defence embodied in the Charter of the United Nations and without prejudice to the principle of equal rights and self-determination of peoples in accordance with the Charter and the need to ensure balance at each stage and undiminished security of all States.

1. The States with the largest military arsenals have a special responsibility in pursuing the process of conventional disarmament. Therefore, by the end of Stage I, the Union of Soviet Socialist Republics and the United States should each reduce their conventional armaments and armed forces by at least 25 per cent.
2. Other militarily significant States shall undertake an agreed smaller proportion of reduction in the levels of their armed forces.
3. A more stable situation in Europe at a lower level of military potential on the basis of approximate equality and parity should be achieved by end of Stage I. This will involve, besides the above-mentioned reductions by the Union of Soviet Socialist Republics and the United States, reductions in the conventional armaments and armed forces of other members of the NATO and Warsaw Treaties leading to agreed lower levels of forces and armaments. This

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\*/ The introductory language contained in the text concerning the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and Under Water, appearing on page 85, paragraph 1, also applies to these measures.

would be achieved through the ongoing negotiations in Vienna or at a broader European Conference on Security, Disarmament and Confidence Building Measures. The above-mentioned measures of conventional weapons disarmament will involve:

(a) the demobilization of personnel and withdrawal of forces from foreign territories and the dismantling of foreign military bases;

(b) the destruction of agreed categories of conventional armaments and other military equipment especially weapons of great destructive capacity;

(c) measures for confidence building and security including restrictions on mobility of forces:

4. The above-mentioned measures should also include agreements for a reduction in the production of conventional weapons proportionate to the reduction in armed forces and conventional weapons agreed upon.

5. During Stage I, consultations and conferences should also be held at the bilateral, regional and multilateral level, among States for the consideration of various initiatives and proposals for confidence building and for the control, restraint or reduction of conventional armaments particularly in regions of arms concentration, areas of tension, etc.

In this context, consultations could also be held between arms suppliers and recipient countries on the limitation of all types of international transfer of conventional weapons on the basis in particular of the principle of undiminished security of the parties with a view to promoting or enhancing stability at a lower military level, taking into account the need of all States to protect their security as well as the inalienable right to self-determination and independence of peoples under colonial or foreign domination and the obligations of States to respect that right, in accordance with the Charter of the United Nations and the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States.

6. An agreement for the cessation of the development, production and deployment of new types of highly destructive conventional weapons. ] \*/

[Cessation of the conventional arms race:

(a) Upon the commencement of Stage I, the nuclear-weapon States and the countries associated with them by military agreements should freeze their armed forces and conventional armaments. During Stage I, these States should reduce their armed forces and conventional armaments by an agreed percentage.

(b) Other militarily significant States shall undertake similar steps until the finishing of Stage I.]

[The two States with the largest conventional arsenals shall immediately stop their conventional arms race. As a first step, they shall undertake not to carry out armed aggression against and military occupation of other countries and take the lead in drastically reducing their heavy and new-type conventional armaments, particularly offensive weapons and armaments.]

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\*/ The text concerning certain conventional weapons which may be deemed to be excessively injurious or to have indiscriminate effects contained in this proposal has been omitted since it is identical to that appearing on page 95, paragraph 4.

[A mutual and balanced reduction of armed forces and armaments, and associated measures in central Europe and in other regions of the world, wherever feasible.] \*/

[Cessation of the development of new types of highly destructive conventional weapons.]

[Consultations among major arms suppliers and recipients on the international transfer of conventional weapons:

Preliminary consultations, within the framework of existing disarmament bodies, as a first step towards the conclusion of genuine and reliable arrangements, also at a regional level, devised to monitor, control and limit international arms trade.]

#### D. Military expenditures

##### 1. Reduction of military expenditures:

(a) Gradual reduction of military budgets on a mutually agreed basis, for example, in absolute figures or in terms of percentage points, particularly by nuclear-weapon States and other militarily significant States, would be a measure that would contribute to the curbing of the arms race and would increase the possibilities of reallocation of resources now being used for military purposes to economic and social development, particularly for the benefit of the developing countries. The basis for implementing this measure will have to be agreed by all participating States and will require ways and means of its implementation acceptable to all of them, taking account of the problems involved in assessing the relative significance of reductions as among different States and with due regard to the proposals of States on all the aspects of reduction of military budgets.

[1. Upon the commencement of this Programme, the Union of Soviet Socialist Republics and the United States should agree to an immediate freeze in the current levels of their defence budgets. All other nuclear-weapon States are invited to follow this example.

2. During Stage I, the nuclear-weapon States and other militarily significant States will make reductions in their military expenditures in proportion to their reductions of nuclear, conventional and other weapons, reductions in the production of such weapons, reductions in their armed forces and dismantling of military facilities, bases, etc.

3. Other States may also make reductions in their military expenditures in the context of bilateral, regional or multilateral disarmament agreements; or reach agreement to freeze the levels of their military spending at certain levels.

4. The above-mentioned States should submit detailed reports to the appropriate international authority regarding the reductions made in their military expenditures including an itemization of the various categories of expenditures that have been reduced.

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\*/ The introductory language contained in the text pertaining to a treaty prohibiting nuclear weapon tests and a protocol concerning nuclear explosions for peaceful purposes, appearing in page 85, paragraph 1, also applies to these measures.

5. Agreements on reduction of military expenditures should be elaborated on the basis of agreed methods of comparing military expenditures between different periods of time and between different countries. All member States, particularly the most heavily armed States, should endeavour, wherever feasible, to make use of the reporting instrument, contained in document A/35/479, in reporting their military expenditures. This reporting instrument should be further refined.]

[Upon the commencement of Stage I, the nuclear-weapon States and other militarily significant States should agree to an immediate freeze in the current levels of their defence budgets with the aim of facilitating subsequent reductions in their military expenditures.]

[The two Superpowers shall make available a substantial part of the resources released by reduction of armaments and military expenditures to aid the developing countries.]

#### E. Verification

1. Verification methods and procedures in relation to specific disarmament measures, to facilitate the conclusion and effective implementation of disarmament agreements and to create confidence among States:

(a) In order to facilitate the conclusion and effective implementation of disarmament agreements and to create confidence, States should accept appropriate provisions for verification in such agreements.

(b) In the context of international disarmament negotiations, the problem of verification should be further examined and adequate methods and procedures in this field be considered.

[Verification is one cornerstone for progress in disarmament and arms control. Because arms control and disarmament measures concern the vital security interest of the States involved, such measures must be verifiable. They should also make the remaining armaments situation more transparent and contribute to the strengthening of confidence between the States concerned. Without strict international and national verification means, as appropriate, a sufficient degree of confidence of States into the observance of agreements can hardly develop. Negotiations on specific disarmament measures should therefore aim at the inclusion of appropriate verification arrangements in the respective agreements, and States should accept appropriate provisions for adequate verification.]

Effective verification is of paramount importance for the maintenance of the undiminished security of States during the disarmament process. States should therefore take a positive approach to the development of the necessary and appropriate measures of verification, including on-site inspections, for each arms control and disarmament agreement and show a willingness to accept such measures without exaggerating the difficulties involved in their implementation. The valuable contribution which verification can make to the promotion of international co-operation should be recognized.

The form and modalities of the verification to be provided for in specific agreements depend upon and should be determined by the purposes, scope and nature of the agreement.]

## F. Related measures

1. Further steps to prohibit military or any other hostile use of environmental modification techniques:

(a) Review of the need for a further prohibition of military or any other hostile use of environmental modification techniques with a view to the adoption of further measures to eliminate the dangers to mankind from such use.

[(b) The Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques.] \*/

2. Further steps to prevent an arms race on the sea-bed and the ocean floor and the subsoil thereof:

(a) Elaboration and adoption of further measures in the field of disarmament for the prevention of an arms race on the sea-bed and the ocean floor and in the subsoil thereof in order to promote the peaceful use of, and to avoid an arms race in that environment [, taking into account the emerging régime under the Third United Nations Law of the Sea Conference.]

[(b) The Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Sea-Bed and the Ocean Floor and in the Subsoil thereof.] \*/

3. Further steps to prevent an arms race in outer space:

(a) In order to prevent an arms race in outer space, further measures should be taken and appropriate international negotiations held in accordance with the spirit of the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and other Celestial Bodies. [During Stage I, an international agreement should be negotiated prohibiting States from placing weapons of mass destruction into outer space.]

(b) Conclusion of an Additional Protocol to the 1967 Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies, with a view to preventing, by verifiable means, an arms race in outer space.

[(c) The Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space including the Moon and Outer Celestial Bodies.] \*/

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\*/ The introductory language contained in the text concerning the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and Under Water, appearing on page 85, paragraph 1, also applies to this measure.

4. Establishment of zones of peace, in accordance with the relevant provisions of the Final Document:

(a) The establishment of zones of peace in various regions of the world under appropriate conditions, to be clearly defined and determined freely by the States concerned in the zone, taking into account the characteristics of the zone [, the security situation in the region,] and the principles of the Charter of the United Nations, and in conformity with international law, can contribute to strengthening the security of States within such zones and to international peace and security as a whole. [All States, the two Superpowers in particular, shall not be allowed to seek any form of hegemony in zones of peace, freedom and neutrality, and any form of foreign military presence shall be eliminated from these zones.] In this regard, the General Assembly notes the proposals for the establishment of zones of peace, inter alia, in:

- (i) [South-East Asia where States in the region have expressed interest in the establishment of such a zone, in conformity with their views.]

[Steps should be taken by interested States in the region of South-East Asia to further elaborate the concept of a "Zone of Peace, Freedom and Neutrality" with a view to concluding an agreement on its establishment.]

- (ii) [The Indian Ocean, taking into account the deliberations of the General Assembly and its relevant resolutions and the need to ensure the maintenance of peace and security in the region.]

[Concrete action should urgently be taken to ensure conditions of peace and security within the region of the Indian Ocean, in particular with a view to the elimination of foreign military bases and foreign military presence in the region and to early achievement of the objectives of the Declaration of the Indian Ocean as a Zone of Peace, taking into account the relevant decisions and resolutions of the United Nations General Assembly.]

[The Indian Ocean, taking into account the decisions of the Ad Hoc Committee on the Indian Ocean and the relevant resolutions of the General Assembly, and the need to ensure the maintenance of peace and security in the region.]

## II. Other measures

1. Confidence-building measures, taking into account the characteristics of each region:

(a) In order to facilitate the process of disarmament, it is necessary to take measures and pursue policies to strengthen international peace and security and to build confidence among States. Commitment to confidence-building measures could significantly contribute to preparing for further progress in disarmament. For this purpose, measures such as the following, and other measures yet to be agreed upon, should be undertaken:

[All States, especially the militarily significant States, shall undertake confidence-building and security measures such as the following and other measures yet to be agreed upon, as a contribution to preparing for further progress in disarmament:]

(i) The prevention of attacks which take place by accident, miscalculation or communications failure by taking steps to improve communications between Governments, particularly in areas of tension, by the establishment of "hot lines" and other methods of reducing the risk of conflict;

[The elaboration of measures to prevent the possibility of a surprise attack.]

(ii) States should assess the possible implications of their military research and development for existing agreements as well as for further efforts in the field of disarmament;

(iii) The Secretary-General shall periodically submit reports to the General Assembly on the economic and social consequences of the armaments race and its extremely harmful effects on world peace and security.

(b) Confidence-building measures, taking into account the particular conditions and requirements of different regions, with a view to strengthening the security of States:

[(i) The convening of a conference on military détente and disarmament in Europe;

(ii) The further extension of confidence-building measures in Europe; the conclusion of an agreement to give notice of exercises by naval and air forces and of large-scale troop movements;

(iii) The extension of the zone of application of confidence-building measures in Europe on a basis of reciprocity.]

[Negotiations on effective confidence-building measures and disarmament measures in Europe among the States participating in the Conference on Security and Co-operation in Europe, taking into account initiatives and proposals to this effect.]

[Conclusion among all States participating in the European Conference on Security and Co-operation of a treaty whereby each party would undertake not to be the first to use either nuclear or conventional weapons against any other.]

[The conclusion of an agreement that, with effect from an agreed date, no State or grouping of States in Europe would increase the number of its armed forces in the area specified by the Final Act of the Conference on Security and Co-operation in Europe.]

[The extension to the Mediterranean Sea area of confidence-building measures; the reduction of armed forces in that area; the withdrawal from the Mediterranean Sea of warships carrying nuclear weapons; the renunciation of the deployment of nuclear weapons on the territories of European and non-European non-nuclear-weapon countries in the Mediterranean Sea area.]

[Initiation of negotiations on confidence-building measures in the Far East among all countries concerned.]

[Steps should be taken by interested States to strengthen peace and security in Asia and the Pacific by concluding agreements on non-aggression and non-use of force [which can be made possible by the immediate, complete and unconditional withdrawal of all foreign occupation forces in the territories of certain States in the region, the early settlement of conflicts and disputes and strict respect for the principles of State sovereignty, territorial integrity and non-intervention in the internal affairs of States].]

[In various regions of the world, States shall seek to reach agreement on various confidence-building measures, taking into account the particular conditions and requirements of the regions concerned.]

In adopting such confidence-building measures, States will give full consideration to the study on the subject to be prepared by the United Nations Group of Intergovernmental Experts.

Such measures should include agreements providing for the advance notification of major military movements and manoeuvres.]

[During the first phase of the Comprehensive Programme of Disarmament, those collateral and other measures should be negotiated on, initiated or pursued which are currently under consideration. All efforts should be exerted, during this phase, 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;
- Effective confidence-building measures at a global and regional level, taking into account the specific needs and the situation of the region, e.g.:

- publication and exchange of information on security-related measures including matters of arms control and disarmament;
- regular bilateral and/or regional consultations of governmental representatives on such security-related matters;
- provisions of scholarships in military schools for the military personnel of other States;
- exchange of military delegations and military attachés;
- indication of normal military conduct and information on scope and extent of specific military activities like manoeuvres, specified movements, etc. according to pre-established procedures;
- limitations of certain military activities and movements;
- establishment of procedures for the containment of conflicts, including the establishment of hot lines;
- agreement on steps conducive to the relaxation of tensions and the settlement of conflicts;
- Achievement of greater transparency of military postures, i.e. the establishment of a standardized and verifiable reporting system for military expenditures enabling their comparison as a step to their balanced reduction on a multilateral level;
- Establishment of registers within the framework of the United Nations for the recording of data necessary for transparency and comparability of military postures.]

2. Measures aimed at achieving relaxation of international tensions:

- (a) Agreements or other measures should be resolutely pursued on a bilateral, regional and multilateral basis with the aim of strengthening peace and security at a lower level of forces, by the limitation and reduction of armed forces and of conventional weapons.
- (b) Achievement of a more stable situation in Europe at a lower level of military potential on the basis of appropriate equality and parity by agreement on appropriate mutual reduction and limitation of armaments and armed forces in accordance with paragraph 82 of the Final Document, which would contribute to the strengthening of security in Europe and constitute a significant step towards enhancing international peace and security.
- (c) [Withdrawal of all foreign occupation forces from the territories of other States in accordance with the relevant United Nations resolutions and observance of the principles of non-interference and non-intervention in the internal affairs of States.]

(d) [The dismantling of foreign military bases and the withdrawal and elimination of the military presence and rivalry of foreign powers from various regions of the world.]

(e) [Upon commencement of Stage I, the members of existing military alliances should agree not to enlarge these alliances, not to extend their activities to new regions and to reduce their military activities. All States should refrain from the creation of new military alliances.]

(f) [By the end of Stage I, the military organizations of NATO and the Warsaw Treaty Organization should be abolished.]

(g) [In the interests of peace and the stabilization of the international situation, as well as in the interests of ensuring the safe and unimpeded use of major international maritime communications, measures should be taken to restrict and lower the level of military presence and military activity in appropriate regions, whether in the Atlantic, the Indian or the Pacific Ocean, in the Mediterranean or in the Persian Gulf.]

3. Measures aimed at preventing the use of force in international relations, subject to the provisions of the Charter of the United Nations:

(a) [Measures to secure the avoidance of the use of nuclear weapons, the prevention of nuclear war and related objectives, where possible through international agreement, bearing in mind various proposals designed to secure these objectives and in accordance with paragraphs 57 and 58 of the Final Document, and thereby to ensure that the survival of mankind is not endangered.] \*/

[An international agreement or solemn understanding by all States, particularly the militarily significant States, to strictly observe the principles of the United Nations Charter and international law regarding respect for the sovereignty, territorial integrity and political independence of States, non-interference in their internal affairs, to conduct inter-State relations on the basis of sovereign equality and to refrain from the threat or use of force in international relations.]

[The renunciation of the use of force in international relations, inseparably linked with a permanent ban on the use of nuclear weapons.]

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\*/ This text appears in brackets due to differing views concerning the stage in which the measures should be included.

4. Implementation of the provisions contained in the Final Document intended to mobilize world public opinion in favour of disarmament: \*/

(a) In order to mobilize world public opinion on behalf of disarmament, the specific measures set forth below, designed to increase the dissemination of information about the armaments race and the efforts to halt and reverse it, should be adopted.

(b) In the course of the Decade of the 1980s, therefore, governmental and non-governmental information organs of Member States and those of the United Nations and its specialized agencies as well as non-governmental organizations should, as appropriate, undertake further programmes of information relating to the danger of the armaments race as well as to disarmament efforts and negotiations and their results, particularly by means of annual activities conducted in connection with Disarmament Week. These actions should constitute a large-scale programme to further alert world opinion to the danger of war in general and nuclear war in particular.

(c) With a view to promoting a climate of understanding and confidence among nations, an elaboration is envisaged of a broad programme of action aimed at making international public opinion profoundly aware of the problems created by the arms race including specific activities by governments, international organizations within the United Nations system and non-governmental organizations, in accordance with the principles and spirit of the United Nations Declaration on the Preparation of Societies for Life in Peace.

(d) As part of the process of facilitating the consideration of issues in the field of disarmament, studies on specific questions should be undertaken on the decision of the General Assembly, when necessary for preparing the ground for negotiations or reaching agreement. Also, studies pursued under the auspices of the United Nations, in particular by the United Nations Institute for Disarmament Research established by Assembly resolution 34/83 II of 11 December 1979 within the framework of the United Nations Institute for Training and Research, could bring a useful contribution to the knowledge and exploration of disarmament problems, especially in the long term.

[(i) Carrying out of a study on all aspects of the conventional arms race and on disarmament relating to conventional weapons and armed forces;

(ii) Other studies, as agreed by the General Assembly of the United Nations.]

(e) An appeal should be launched calling on parliaments, as the elected representatives of peoples, and on governments to intensify their activities to expose the dangerous consequences of the arms race and to propagate the ideals of peace and disarmament.

(f) Similarly, an appeal should be launched calling on the world religious leaders, different religious and other non-governmental organizations to continue to lend their full support to the cause of peace and disarmament.

[(g) All States which have not yet done so should accede to the existing agreements on the limitation of the arms race and disarmament.]

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\*/ The measures appearing in this section are included on a provisional basis with the understanding that, in the drafting of the relevant texts, the conclusions and recommendations of the United Nations study on a world disarmament campaign will be taken into account.

### III. Disarmament and Development

1. [Bearing in mind the close relationship between disarmament and development and taking into account the United Nations studies carried out in this field, the comprehensive programme of disarmament should include measures aimed at ensuring that disarmament makes an effective contribution to economic and social development and, in particular, to the full realization of the new international economic order through: \*/

(a) Reallocation of resources from military purposes to economic and social development, especially for the benefit of the developing countries.

(b) Savings from the reduction of military expenditures particularly by nuclear-weapon States and other militarily significant States should increase the flow of resources to economic and social development, especially for the benefit of the developing countries.]

[Peace and development are indivisible. In order to ensure that the process of disarmament envisaged in the comprehensive programme makes an effective contribution to economic and social development, especially of the developing countries, and to the full realization of the New International Economic Order: \*/

(a) The militarily significant States shall undertake concrete measures at the national level to reallocate resources from military purposes to economic and social development, especially for the benefit of the developing countries, and report to the United Nations and/or the international disarmament authority on the measures contemplated or undertaken.

(b) A significant part of the savings from the reduction of military expenditures particularly by the nuclear-weapon States and other militarily significant States shall be provided as an additional flow of resources for the economic and social development of the developing countries. Immediately after the adoption of the comprehensive programme, a separate account for the transfer of savings resulting from disarmament should be set up under the aegis of the United Nations Development Programme.]

2. Concrete measures shall be undertaken by all States to strengthen international co-operation for the promotion of the transfer and utilization of nuclear technology for economic and social development, especially in the developing countries, taking into account the provisions of all relevant paragraphs of the Final Document, in particular to ensure the success of the United Nations Conference for the Promotion of International Co-operation in the Peaceful Uses of Nuclear Energy to be convened in principle by 1983, as

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\*/ The measures appearing in this paragraph are included on a provisional basis with the understanding that, in the drafting of the relevant texts, the conclusions and recommendations of the United Nations study on disarmament and development will be taken into account.

decided upon in General Assembly resolution 34/63 of 29 November 1979, as well as other promotional activities in this field in the United Nations system including those within the framework of the International Atomic Energy Agency.

#### IV. Disarmament and International Security \*/

[1. Strengthening of international procedures and institutions for:

(a) Maintenance of peace and security in accordance with the Charter of the United Nations.

(b) Peaceful settlement of disputes.

(c) Effectiveness of the security system of the Charter of the United Nations.

(d) United Nations peace-keeping in conformity with the Charter of the United Nations.]

[1. All States shall undertake a solemn commitment to support all measures for strengthening the structure, authority and operation of the United Nations so as to improve its capability to maintain international peace and security.

2. All States shall undertake to utilize all appropriate processes for the peaceful settlement of disputes.]

[Strengthening of international procedures and institutions for peace-keeping and peaceful settlement of disputes, for conflict containment and effective crisis management.]

[Convening of a world disarmament conference.]"

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

128. During its 1981 session, the Committee had before it other documents which dealt with the cessation of the arms race and disarmament and other relevant measures in other areas:

(a) Document CD/183, dated 12 June 1981, submitted by the delegation of Canada, entitled "A conceptual working paper on arms control verification".

(b) Document CD/209, dated 11 August 1981, submitted by the delegation of India, entitled "Working Paper on the question of verification in the field of disarmament".

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\*/ The measures appearing in this section are included on a provisional basis with the understanding that, in the drafting of the relevant texts, the conclusions and recommendations of the United Nations study on the relationship between disarmament and international security will be taken into account.

H. Israeli air attack of 7 June 1981 on the Tammuz nuclear research centre near Baghdad

129. During its consideration of this question, the Committee had before it document CD/187, dated 17 June 1981, entitled "Statement by the Group of 21 on the Israeli air attack against a nuclear facility on 7 June 1981".

130. The Committee heard statements on behalf of various groups of members as well as from individual members condemning the Israeli air attack of 7 June 1981 on the Tammuz nuclear research centre near Baghdad.

131. The Group of 21, while condemning this blatant act of aggression, reaffirmed its strong opposition to all such acts and violations of the principles of the United Nations Charter. It considered that the Israeli action contravened the provisions of the Final Document relating to nuclear non-proliferation and the development of nuclear technology for peaceful purposes and challenged the sovereign and inalienable right of every State to acquire and develop nuclear technology for such purposes. The Group of 21 rejected the assertion portraying development of the peaceful nuclear energy programmes in developing countries as an inevitable threat of horizontal nuclear weapons proliferation and expressed its conviction that all necessary measures should be taken to ensure against the repetition of such an aggression by Israel or any other State. It also urged the Committee on Disarmament to "reaffirm the international principle prohibiting attacks against the peaceful nuclear facilities of a State under any circumstances" and recommended that the Committee take appropriate steps to reverse the adverse implications of this action (CD/187). Some other members supported these views.

132. One member of the Group, while as a matter of principle condemning the Israeli attack on the Tammuz nuclear centre, condemned vehemently the blatant and cruel aggression of the Iraqi régime against Iran resulting in thousands of casualties and leaving two and a half million innocent refugees. The delegation stated that the Iranian nation was the victim of an international conspiracy of silence and was fighting in the exercise of its legitimate right of self-defence against the outrageous aggression of the brutal régime of Iraq for its political independence and territorial integrity. The member noted that the international community should condemn the use of force and acts of aggression wherever and in whatever form they may occur and that such condemnation would discourage irresponsible and adventurous régimes from trying to achieve their illegitimate objectives by resorting to inhuman and unjust wars such as the one the Iraqi régime has imposed on Iran.

133. It was stated that military operations, such as the Israeli action, were detrimental to international peace and security. Several members underlined the gravity of the Israeli attack and of its consequences for international non-proliferation efforts and peaceful nuclear co-operation. Some referred to its impact on the integrity of the IAEA safeguards régime, specially in view of the fact that Iraq was a non-nuclear weapon State party to the non-proliferation treaty (NPT), and it had accepted IAEA safeguards and even stricter controls. The need was stressed by some members for a further strengthening of the international non-proliferation régime. Greater efforts towards nuclear disarmament were widely considered essential to prevent further proliferation of nuclear weapons.

134. Some members expressed the view that the Israeli attack had demonstrated that adherence to the NPT was obviously not sufficient to prevent an adversary from making subjective and unilateral judgements about another country's nuclear programme. They held that the unacceptable grounds advanced to justify the aggression emanated partially from a campaign of propaganda launched and sustained in those very countries which are the most ardent advocates of the NPT, about the purported danger of nuclear proliferation from the peaceful nuclear facilities of various developing countries. In their view, the Israeli military raid could be seen as the ultimate step in an escalating process of unacceptable pressures and punitive actions that they alleged have been employed by certain supplier States to impede the normal development of the peaceful nuclear programmes of a number of developing countries.

135. A group of socialist countries decisively condemned as barbaric the Israeli attack on the nuclear research centre near Baghdad. They qualified it as an unprovoked act of armed aggression by Israel against a sovereign State and full and equal member of the international community. They also considered the attack as yet another example of the policy of State terrorism pursued by Israel. Moreover, the act of international terrorism in their view had been directed against a State party to the Treaty on the Non-Proliferation of Nuclear Weapons, whereas the terrorist State flatly refused to accede to that instrument.

136. In that connection, that group of socialist countries called for the halting of every kind of aid to, and co-operation with, Israel in the field of nuclear energy until such time as it adopted appropriate international safeguards against the spread of nuclear weapons. They also commended the advisability of examining, through the medium of special talks, the question of the strengthening of the existing international provisions for the protection of civilian nuclear installations against military attacks.

137. There was unanimous recognition of the necessity to ensure against the repetition of such an attack on nuclear facilities by Israel or any other State. The call for the prohibition of attacks against nuclear facilities was widely supported. In this connection, the Committee considered the proposal to include such a prohibition in a convention on radiological weapons. At the same time, the view was also expressed that further strengthening of the existing international provisions regarding protection of civilian nuclear facilities against military attacks might be solved through an appropriate international instrument.

#### I. Other business

138. At the 110th plenary meeting on 27 February 1981, and following an invitation of the Committee, the Director of the United Nations Institute for Disarmament Research, set up within the framework of UNITAR, made a statement on the activities of the Institute.

139. At its 127th plenary meeting on 24 April 1981, in accordance with rule 16 of its Rules of Procedure, the Committee requested its Secretary and Personal Representative of the Secretary-General to attend the first meeting of the Advisory Council of the United Nations Institute for Disarmament Research.

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

140. 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 10 to 21 August 1981.

141. 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/221, dated 18 August 1981, entitled "Some observations of the Chinese delegation on the work of the Committee on Disarmament in 1981".

(b) Document CD/222, dated 19 August 1981, entitled "Statement of the Group of 21 on the conclusions of the annual session of the Committee on Disarmament in 1981".

(c) Document CD/224, dated 20 August 1981, entitled "Results of the 1981 session of the Committee on Disarmament: Statement by a group of Socialist States".

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

(signed) Anwar SANI  
Indonesia  
Chairman of the Committee

APPENDIX I

CONSOLIDATED LIST OF PARTICIPANTS IN THE WORK OF THE COMMITTEE  
(1981 Session)

Chairman of the Committee for February: Ambassador François de la Gorce (France)

Chairman of the Committee for March: Ambassador Gerhard Herder (German Democratic Republic)

Chairman of the Committee for April and the in-session recess: Ambassador Gerhard Pfeiffer (Federal Republic of Germany)

Chairman of the Committee for June: Ambassador Imre Kórnives (Hungarian People's Republic)

Chairman of the Committee for July: Ambassador A. P. Venkateswaran (India)

Chairman of the Committee for August and the intersessional recess: Ambassador Ch. Anwar Sani (Indonesia)

Secretary of the Committee and Personal Representative of the Secretary-General: Mr. Rikhi Jaipal

Deputy Secretary of the Committee: Mr. Vicente Berasategui

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Head of Delegation

Mr. Messaoud Mati Attaché, Permanent Mission of Algeria  
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Mr. Ahmed Bonyamina

Mr. Amar Abbad Secretary, Ministry of Foreign Affairs

Mr. Smail Bendjaballah

Mr. Merzelkad Djaballah Adviser

Mr. Mohamed Medkour

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Mr. Enrique Roa	Ambassador Vice-Minister of Foreign Affairs Chief of Delegation during his stay in Geneva
Mr. Julio C. Carasales	Ambassador Special Representative for Disarmament Affairs Ministry of Foreign Affairs
Mr. Fernando Jimenez Davila	Ambassador Alternate Permanent Representative, Geneva
Miss Nelly M. Freyre Penabad	Minister Plenipotentiary Permanent Mission of Argentina to the United Nations Office at Geneva
Mr. Atilio N. Molteni	Minister Plenipotentiary Permanent Mission of Argentina to the United Nations Office at Geneva
Mr. Vicente Espeche Gil	Counsellor Permanent Mission of Argentina to the United Nations in New York
Mr. José M. Otegui	First Secretary Alternate Representative for Disarmament Affairs Ministry of Foreign Affairs
Mr. Juan F. Gomensoro	First Secretary Permanent Mission of Argentina to the United Nations Office at Geneva
Miss Norma Nascimbene	Second Secretary Permanent Mission of Argentina to the United Nations Office at Geneva
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Mr. Ronald A. Walker	Ambassador to Denmark Representative, Head of Delegation
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Mr. Alain Rens

Minister Plenipotentiary  
Delegate to the questions of Disarmament  
Ministry for Foreign Affairs, Brussels

Mr. Jean-Marie Noirfalisie

First Secretary  
Permanent Mission of Belgium to the  
United Nations

Miss Godelieve Van Den Bergh

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Permanent Mission of Belgium to the  
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