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VERBATIM RECORD OF THE 22ND MEETING

Chairman: Mr. CHERKAOUI (Morocco)
(Vice-Chairman)

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The meeting was called to order at 10.35 a.m.

AGENDA ITEM 128 (continued)

CONCLUSION OF AN INTERNATIONAL CONVENTION ON THE STRENGTHENING OF GUARANTEES OF THE SECURITY OF NON-NUCLEAR STATES (A/33/241; A/C.1/33/L.6)

Mr. YANKOV (Bulgaria): It is very indicative indeed and encouraging that immediately after the review of the implementation of the recommendations and decisions adopted at the tenth special session of the General Assembly we now proceed to the consideration of an item which is directly related to the practical implementation of paragraph 59 of the Final Document. In this connexion we wish to pay a special tribute to the Soviet delegation for initiating the inclusion of this item in our agenda.

Before expressing our views on the substance of the problem before us, I should like at the outset to offer some observations of a more general nature that have a direct bearing on the issue under consideration.

In our submission the problem of security guarantees to non-nuclear-weapon States has to be conceived as a parallel and partial measure within the framework of legal arrangements designed to strengthen the régime of non-proliferation of nuclear weapons and facilitate further the efforts aimed at achieving nuclear disarmament by creating more favourable conditions for the negotiations in this field.

It has always been our earnest belief that an essential requirement in the evolving process of arms limitation and disarmament negotiations is a realistic and dynamic approach towards such negotiations; that is, the consideration of partial or collateral measures in their proper perspective as an integral part of a comprehensive and long-term programme of action.

(Mr. Yankov, Bulgaria)

In the field of disarmament, as emphasized in the Final Document:

"The ultimate goal in this context is the complete elimination of nuclear weapons." (resolution S-10/2, para. 47)

From the point of view of guarantees, likewise, to use again the language of the Final Document:

"The most effective guarantee against the danger of nuclear war and the use of nuclear weapons is nuclear disarmament and the complete elimination of nuclear weapons." (ibid., para. 56)

Proceeding from these premises, the People's Republic of Bulgaria and the other socialist countries have always considered the total elimination of nuclear weapons as one of the most important measures that can and should be taken as rapidly as possible. Over the years they have more than once come forward with concrete proposals to this effect.

However, in view of the difficulties encountered in the attainment of this objective, we have also supported all efforts aimed at the total banning of the use of nuclear weapons. This is evidenced by the fact that in 1972 the General Assembly adopted, on the initiative of the USSR, a resolution in which it solemnly declared, on behalf of the States Members of the Organization:

"... their renunciation of the use or threat of force in all its forms and manifestations in international relations, in accordance with the Charter of the United Nations, and the permanent prohibition of the use of nuclear weapons". (resolution 2936 (XXVII), para. 1)

This is an approach that takes into account the hard facts of life in the present international reality. Until the final goal is achieved we ought to consider interim measures that would prevent the possible use and further spread of nuclear weapons in order to minimize the risks of nuclear war and facilitate the efforts to achieve disarmament. There should be no doubt whatsoever that such partial measures are not an end in themselves and should only be considered as further steps on the road towards the final objective - the total elimination of nuclear weapons.

(Mr. Yankov, Bulgaria)

This has been the philosophy and the practical policy of my country and the countries of the socialist community of nations. We have not shunned any opportunity for attaining less ambitious goals as stepping-stones for further action. Within the framework of such partial and parallel measures, special emphasis should be given to the security guarantees in favour of the non-nuclear-weapon States. It is well known that as early as 1966 the USSR, in order to facilitate the conclusion of the Non-Proliferation Treaty (NPT), declared its readiness to have embodied in it a provision about the prohibition of the use of nuclear weapons against non-nuclear-weapon States parties to that Treaty. But this proposal did not meet with the approval of the other nuclear-weapon States at that time. Instead, another approach was agreed upon which resulted in the adoption by the Security Council of resolution 255 (1968).

That "positive" guarantee embodied in that resolution, taken in conjunction with the commitment on the non-use of force in the United Nations Charter is to this day one of the basic components of the compact under which the overwhelming majority of States have forgone the nuclear option and accepted the status of non-nuclear-weapon States. But from the very beginning many non-nuclear-weapon States have regarded resolution 255 (1968) to be an insufficient and ineffective measure. This may account, at least partly, for the fact that the NPT has not yet achieved universal acceptance.

Over the years several countries have maintained that the security interests of non-nuclear-weapon States would best be served by additional "negative" guarantees. As is known, on the initiative of Pakistan the General Assembly at its thirty-first session adopted a resolution in which it requested:

"... the nuclear-weapon States, as a first step towards a complete ban on the use or threat of use of nuclear weapons, to consider undertaking, without prejudice to their obligations arising from treaties establishing nuclear-weapon-free zones, not to use or threaten to use nuclear weapons against non-nuclear-weapon States not parties to the nuclear security arrangements of some nuclear-weapon Powers". (resolution 31/189 C, para. 1)

(Mr. Yankov, Bulgaria)

On different occasions and most recently during the tenth special session of the General Assembly a number of countries urged the nuclear-weapon States to give concrete security assurances not to use or threaten to use nuclear weapons against States which had renounced the production and acquisition of such weapons. The response to the appeals of the non-nuclear-weapon States during the special session came in two different ways. We have in mind, on the one hand, the unilateral declarations made by the nuclear Powers on the non-use of nuclear weapons against non-nuclear-weapon States. The Soviet Union, for instance, has declared that it will never use nuclear weapons against countries which renounce the production and acquisition of nuclear weapons and which do not have them on their territory. The United States and the United Kingdom made similar but strongly qualified declarations.

On the other hand, this response found its expression in several provisions of the Final Document and, more specifically, in paragraph 59, in which the General Assembly called upon the nuclear-weapon States:

"... to take steps to assure the non-nuclear-weapon States against the use or threat of use of nuclear weapons. (resolution S-10/2, para. 59)

While taking note of the unilateral declarations made by the nuclear-weapon States, it further urged them:

"... to pursue efforts to conclude, as appropriate, effective arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons". (ibid.)

(Mr. Yankov, Bulgaria)

That brief retrospective review of the developments relating to the problem of strengthening the security guarantees of non-nuclear-weapon States is very indicative indeed. First of all, it proves that throughout the whole process of the consideration of this problem, up to the special session and during the discussions on its follow-up at the present General Assembly session, the prevailing concept has been that the security guarantees in favour of non-nuclear-weapon States are but a part of the over-all problem of strengthening the régime of non-proliferation and facilitating nuclear disarmament negotiations. Secondly, it underlines the fact that the Soviet initiative, which came as a response to the legitimate and well-founded requests of non-nuclear-weapon States, is timely and useful, and indeed necessary.

It is timely because this problem has been discussed for many years and in all its aspects and is therefore ripe for solution. It is useful because its adoption would fill an important gap in the present system of non-proliferation measures. Finally, it is necessary because it would serve to strengthen that system and facilitate the efforts to achieve the ultimate total elimination of all nuclear weapons.

During the debate on the follow-up of the special session, some of these features of the Soviet initiative were indicated by several delegations. Of course, we are well aware that some delegations do not share the same views and that they have different ideas as to the best course of action to be taken by this Assembly in order to satisfy the security requirements of the non-nuclear-weapon States.

To take but one example. It was suggested here that this matter should be referred to the Security Council, which might take note of the individual declarations made by the nuclear Powers. Such a measure, however, would hardly represent a new step and an "effective arrangement" as called for in paragraph 59 of the Final Document, because it would not improve on what is already contained in the individual declarations themselves.

A treaty, without any doubt, has several advantages over a series of separate unilateral declarations, even though they may be acknowledged by the Security Council. A treaty always has the merit of greater precision with regard to rights and obligations stipulated in a contractual form. Furthermore,

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a treaty of this kind carries, by definition, legally binding effect with respect to the parties to it. In the case of both nuclear and non-nuclear Powers, therefore, a multilateral undertaking in the form of a treaty would be an efficient legal instrument. Another advantage of a treaty compared with unilateral declarations is the fact that the scope and the content of the commitment would not be different for the individual nuclear Powers and would not lend themselves to differing interpretations. Lastly, the security guarantees provided for in the treaty would be the result of negotiations with non-nuclear-weapon States, which would have every interest in seeing to it that they were as concrete and effective as possible.

Having said that, I should like to point out that we do not challenge the idea of proper Security Council action as such. In our view, the proposal for an international convention which is now under discussion is neither incompatible with nor prejudicial to any action that the Security Council might consider taking in the future, if and when conditions are appropriate for such an initiative.

In the course of the special session, those to whom most of the credit goes for the present formulation of paragraph 59 of the Final Document clearly expressed their view that the question of security assurances to non-nuclear-weapon States was essentially a multilateral undertaking, and that to be credible guarantees have to be invested with legally binding force. That is exactly what the proposal under consideration seeks to achieve and is its main merit.

Another important aspect of the Soviet initiative is that it is addressed to a wide constituency and offers the opportunity of reaching an agreement with almost universal application.

At present there are more than 100 States parties to the Non-Proliferation Treaty. There are also States parties to the Treaty of Tlatelolco. As far as those countries are concerned, there would be no difficulty in their obtaining the additional guarantees provided for by the proposed future convention while preserving their rights under any other legal instrument. But there are also quite a number of other countries which,

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for different reasons and perhaps for lack of sufficient security guarantees, have chosen to stay outside the present system of non-proliferation measures. We consider that it would be in the interest of consolidating that system and promoting its universality if those countries were offered yet another opportunity to join in the common efforts aimed at preventing the spread of nuclear weapons.

It is not our intention to go into the details of the draft convention presented by the Soviet Union. We shall certainly do so at an appropriate moment in the process of its concrete consideration and negotiation. At this stage we should like only to acknowledge this document as a good basis which would assist delegations in their efforts at working out a generally acceptable international instrument.

We agree that the concrete consideration of the draft should be assigned to the Committee on Disarmament, for that negotiating body is the natural forum for the consideration and successful elaboration of a draft convention on the strengthening of the security guarantees of non-nuclear-weapon States.

With all that in mind, my delegation lends its full support to the draft resolution submitted by the Soviet delegation (A/C.1/33/L.6), and we shall be glad to co-sponsor it.

The meeting rose at 11.00 a.m