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Chairman: Mr. PALMA (Peru)
(Vice-Chairman)

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The meeting was called to order at 3.05 p.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. FLORIN (German Democratic Republic) (interpretation from Russian):

One of the main tasks of the present session of the General Assembly is the use of the impetus given by the tenth special session of the General Assembly of the United Nations devoted to disarmament in the interests of making progress towards harmonizing effective measures aimed at the cessation of the arms race. It is no accident that special significance in this connexion is being given to such measures as will contribute to the prevention of the outbreak of a nuclear world war.

The most radical means to achieve that goal is, no doubt, to act on the proposal of the USSR to cease the production of nuclear weapons in all its aspects and gradually to decrease the stockpiles that have been accumulated until they are completely liquidated. Unfortunately, during the course of the debates that have taken place so far there have not been any positive reactions from other nuclear States. No one can consider the socialist countries responsible for the fact that so far it has not yet been possible to agree on a date for the beginning of appropriate talks. Today we are bound to observe that the threat of the outbreak of a nuclear war is increasing. The preparation for the production of nuclear neutron weapons attests to this quite eloquently.

(Mr. Florin, German Democratic Republic)

In view of that situation, the delegation of the German Democratic Republic associates itself with the call issued by the majority of States to strengthen the guarantees which will increase security and diminish the threat of the outbreak of a nuclear war.

The USSR proposal which is on our agenda today concerning the conclusion of an international convention on the strengthening of guarantees of the security of non-nuclear States is a significant step towards the fulfilment of the demand made specifically in the Final Document of the tenth special session of the General Assembly concerning the strengthening of guarantees for the security of non-nuclear States. I refer to paragraph 32 of that document.

A number of delegations view that new USSR initiative as a step in the right direction and along the right course. This will explain the positive response that has already been encountered by the Soviet proposal. Its implementation would be a direct contribution to the cause of strengthening the security of a large number of States which do not possess nuclear weapons and would respond to the interests of all States. It would strengthen confidence among States; it would contribute to the process of political and military détente; and it would improve the basis for the harmonizing of far-reaching measures to halt the arms race and promote disarmament. In addition to that, the proposed convention could contribute to a situation where non-nuclear States, which as of now are already capable of producing nuclear weapons on their own and have not yet acceded to the Non-Proliferation Treaty, would renounce their fears and reservations and thereby strengthen the régime for the non-proliferation of nuclear weapons.

The positive effect of such a step is quite obvious. There would be a strengthening of the security of all States, and we cannot share under any circumstances the fears that the proposed convention might upset the existing military balance and threaten international security. It is precisely the reverse that is true.

(Mr. Florin, German Democratic Republic)

In this connexion we deem it appropriate to place special emphasis on the fact that the proposed convention provides for equal obligations for nuclear States not to use nuclear weapons against States which have renounced the production and acquisition of such weapons and which do not have them on their territory. Not a single nuclear Power would be at a disadvantage if it entered equally into legally binding international obligations; on the contrary, all, in equal measure, would profit from such guarantees for security.

There would be another significant advantage in the fact that it might be possible to overcome the far-reaching reservations contained in the statements on guarantees made so far by certain nuclear Powers on a unilateral basis. That would not succeed if we were to be guided by the idea that it is sufficient to notify the United Nations Security Council concerning the statements that have been made so far. Moreover, those reservations of which the Security Council would have taken note could then have greater weight. That is why my delegation considers that whoever seriously wishes to strengthen the guarantees for the security of non-nuclear States and is ready not to abuse nuclear weapons as a means of pressure for achieving specific interests cannot fail to support the proposal of the Soviet Union.

The German Democratic Republic is especially interested in an early implementation of the proposal that is on the agenda before us. It is probably not necessary to explain at length that, for a relatively small State located in the centre of Europe at a point of contact between the two most powerful military blocs in the world, reducing the threat of a nuclear war and every effective step to strengthen international security are of vital significance. That is why we steadfastly support the Soviet initiative and are for the achievement of concrete agreement on the further actions that could be taken on this question at the present session of the General Assembly.

(Mr. Florin, German Democratic Republic)

We support the proposal to recommend to the Committee on Disarmament that it proceed forthwith with talks on the drafting of an appropriate text for the convention, taking into account the discussions that have taken place. The draft convention submitted by the USSR could be used as a basis for the talks.

There are no well-founded arguments against such a recommendation to the Committee because at present we are speaking, in the first instance, of harmonizing an authentic text. There is every reason for the Geneva Committee on Disarmament to fulfil this task. The delegation of the German Democratic Republic is ready as a member of the Committee on Disarmament to make its contribution to the speedy elaboration of a text of such a convention.

(Mr. Florin, German Democratic Republic)

In conclusion, may I put forward the following considerations as well. The policy whereby it is a matter of all or nothing when considering the cessation of the arms race, the elimination of arms, and disarmament, will serve only the interests of the opponents of relaxation of tensions and may be used by them in order to block or, at least, to complicate the achievement of any agreement. Further progress in implementing the Programme of Action adopted by the tenth special session is probably possible only on a step-by-step basis by the adoption of partial measures which, in the last analysis, would ultimately lead to total and complete disarmament.

If it was possible to conclude a convention whereby nuclear Powers would undertake not to use such weapons against States on whose territory no nuclear weapons are deployed, and if non-nuclear States were to accept the commitment not to acquire such weapons or to deploy them on their territories, a system of agreement would be gradually built up which ultimately would prevent the further spread of nuclear weapons and would impede the unleashing of a nuclear war. In asserting this I would not in any way wish to create any kind of package. The two proposals are not mutually exclusive; the one does not necessarily have to be a prerequisite for the other. They can suitably supplement each other, and the German Democratic Republic would welcome such a turn of events.

Mr. ENE (Romania) (interpretation from French): The Romanian delegation considers that the question at present under discussion in our Committee, namely, the granting of security guarantees to non-nuclear States, is an eminently political and highly important question not only because it forms part of the broad range of topics related to nuclear disarmament, but also, and above all, because it relates to the security of almost all States on our planet. At the same time it is a matter of international equity because those States which agreed to renounce the acquisition of nuclear weapons are fully entitled to request and to obtain definite guarantees that never, and under no circumstances, will they be the victims of the use or threat of the use of nuclear weapons by nuclear-weapon States. It is from this point of view that we should like to make a few observations.

(Mr. Ene, Romania)

We wish to state, first of all, and without mincing our words, that in our view the true guarantee of the security of all States, whether nuclear or non-nuclear, as well as of international security as a whole, lies in nuclear disarmament, in the outlawing of nuclear weapons and their complete elimination from military arsenals. Thus, Romania has always supported priority for nuclear disarmament and continues resolutely to do so in the United Nations and in other international forums.

It was in this same spirit that it acceded to the Non-Proliferation Treaty. By doing so my country felt that the essence of that Treaty was represented by the prohibition of the proliferation of nuclear weapons among non-nuclear-weapon States, and in the obligation of nuclear-weapon States to take effective steps towards nuclear disarmament. Concurrently, nuclear-weapon States have the duty to give guarantees never to use or threaten to use nuclear weapons against non-nuclear-weapon States, while at the same time guaranteeing unrestricted access by non-nuclear-weapon States to the acquisition of science and technology for the peaceful uses of nuclear energy.

The Non-Proliferation Treaty went into effect in 1970. However, the course of events has shown that, during the eight years of operation of that Treaty, mankind has not achieved a higher degree of security than it had in the past. On the contrary, while non-nuclear States have scrupulously respected their commitment not to produce or acquire nuclear weapons, the vertical proliferation of those weapons and the nuclear arms race have continued and even accelerated. Weapons capable of destroying all signs of life on our planet many times over have been stockpiled. The shortcomings of the Treaty, obvious from the moment of its conclusion, have been further highlighted. I am referring above all to the absence of binding obligations concerning the cessation of the production of nuclear weapons and the destruction of existing stockpiles, as well as the absence of guarantees concerning the non-use of nuclear weapons against States which have undertaken not to acquire them.

(Mr. Ene, Romania)

The stockpiling of nuclear weapons has focused further attention on the question of the security of non-nuclear States. The insistence of non-nuclear States that they obtain security guarantees from nuclear-weapon States has increased in direct ratio to the aggravation of the danger to international peace and security represented by the stockpiling of nuclear weapons. The attention paid to the establishment of nuclear-weapon-free zones which would enjoy adequate security guarantees from the nuclear States, has spread throughout the world as an expression of the will of peoples in different geographic regions of the world and their desire to protect themselves against the nuclear danger.

The priority given to the question of the strengthening of the security of non-nuclear States at the recent special session of the General Assembly devoted to disarmament is most significant. Non-nuclear States have felt and still feel, rightly so, that in giving proof of their responsibility towards the general interest of the international community by agreeing to renounce the nuclear option, they have every right to obtain in return effective guarantees that they will never under any circumstance become the victims of the use or threat of use of new nuclear weapons. This legitimate demand was voiced strongly at the special session, which urged nuclear States to take effective measures with a view to guaranteeing that nuclear weapons would not be used or that the threat of the use of nuclear weapons against non-nuclear States would never occur, and at the same time to solve, in a manner in keeping with international equity and the interests of international peace and security, a problem for which no solution had been found during the negotiations on the Non-Proliferation Treaty.

(Mr. Ene, Romania)

Over the years Romania has always sided with those countries which have striven in favour of the adoption of firm measures likely to guarantee the security of the non-nuclear-weapon States. My country played an active role in presenting proposals during the process of elaboration of the Non-Proliferation Treaty in the Disarmament Committee in Geneva and in the General Assembly of the United Nations, with a view to improving the original draft. Some of those proposals were accepted and were in fact embodied in a series of amendments later included in the draft treaty. However, not all our proposals were included in the Treaty, nor were those of other countries, which explains the fact that from the very outset the Treaty on non-proliferation has not fully met the legitimate demands of the security of all peoples.

It was in the same spirit that, during the Review Conference of the Parties to the Treaty of the Non-Proliferation of Nuclear Weapons in 1975 Romania attached particular importance to the question of security guarantees for States parties to the Treaty which did not possess such weapons. Together with other non-nuclear States, it initiated a draft additional Protocol III to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT/CONF/22) which was designed to remedy the short-comings of that Treaty in this connexion. The draft Protocol sought to establish the juridical obligation for nuclear-weapon States "never and under no circumstances to use or threaten to use nuclear weapons against non-nuclear-weapon States Parties to the Treaty whose territories are completely free from nuclear weapons". (*ibid.*, p. 2) Bearing in mind the vital interests of all States in respect of security, and first and foremost the interests of non-nuclear-weapon States, which for the most part are small and medium-sized countries, the proposed additional Protocol would have represented a concrete measure which the Conference could have adopted with a view to guaranteeing and strengthening the security of States which have renounced nuclear weapons. It is to be regretted that a true dialogue could not be embarked upon during that conference. However, the discussions did show once again that the question of security guarantees is of vital importance for the large majority of States.

That same proposal was later taken up in the United Nations. In the document entitled "The position of Romania on the problems of disarmament, and particularly nuclear disarmament, and the establishment of lasting world peace", submitted to the thirtieth session of the General Assembly, we proposed that,

(Mr. Ene, Romania)

as an elementary requirement, "States possessing nuclear weapons should formally undertake ... never to use nuclear weapons on any pretext and not to threaten States not possessing nuclear weapons with the use of such weapons". (A/C.1/1066,p.6) The same proposal was repeatedly submitted to the Disarmament Committee in Geneva, and more recently to the special session of the United Nations devoted to disarmament.

At the regional level, as far back as 1957, Romania formulated proposals, later repeated several times, aimed at transforming the Balkans into a zone of good-neighbourly peace and broad co-operation, without nuclear weapons, without military bases and without foreign troops, and enjoying adequate security guarantees from the nuclear States.

For our part, we have always maintained that security guarantees for non-nuclear States should be granted either in the form of a solemn declaration, or through an international convention by virtue of which nuclear-weapon States would undertake never to use or threaten to use, in any circumstance whatsoever, nuclear weapons against non-nuclear States.

It is in this context that the Romanian delegation to the current session of the General Assembly has welcomed the draft convention concerning the guarantee of the security of non-nuclear States put forward by the Union of Soviet Socialist Republics, as a new proposal, coming this time from a nuclear Power and seeking to reopen, in a specific framework, consideration of the question of security guarantees for non-nuclear States.

We consider the conclusion of an international convention on the guarantee of security for non-nuclear States would undeniably meet a pressing requirement. From the political point of view, it would have a salutary effect on the world climate. We associate such an international instrument with efforts aimed at excluding completely from international life the use or the threat of force. Romania attaches paramount importance to this aspect of the question, given the fact that the continuation of the arms race and the unprecedented stockpiling of military arsenals act as stimulants of the policy of force, of interference in the internal affairs of other States, and of the maintenance of hot-beds of tension and conflict in different regions of the world. Weapons serve as an instrument to perpetuate relations based on the rule of force instead of relations based on international legality.

The conclusion of a convention designed to protect non-nuclear States from the use or the threat of the use of nuclear weapons therefore must be integrated in an organic manner with those legal

(Mr. Ene, Romania)

instruments which are intended to make effective the non-recourse to force or the threat of the use of force in international relations. Since the non-nuclear States which would become parties to the convention have already made their contribution by the undertaking not to produce or acquire nuclear weapons, we believe that the true meaning of that instrument would be to enshrine the obligations which must be assumed, for their part, by the nuclear States parties to the convention. It is our view that the value of the legal commitments to be assumed by those States not to use or threaten to use nuclear weapons against non-nuclear States will also depend upon the extent to which they are accompanied by firm commitments to move resolutely away from nuclear armament and towards nuclear disarmament, to outlaw and completely eliminate nuclear weapons in accordance with the obligations already assumed by the nuclear Powers under article VI of the Non-Proliferation Treaty. To this same end, nuclear States should undertake to promote the establishment of nuclear-weapon-free zones in different regions of the world and to respect their status.

(Mr. Ene, Romania)

These commitments are essential factors for the achievement of the balance which should exist in relations between nuclear and non-nuclear States. They must be added to the obligation which I have already mentioned, for the former not to limit in any way the right of the latter, which for the most part are developing countries, of unhindered access to the acquisition and use of nuclear technology in order to use atomic energy within the context of their economic development programme in accordance with their needs and the interests of their peoples.

It goes without saying that respect for the obligations to be embodied in the convention concerning the non-use of nuclear weapons must be absolute and should not be conditioned by any circumstance whatsoever.

In conclusion, I should like to stress the importance that the Romanian delegation attaches to the solution of the problem of security guarantees for non-nuclear States as part of a universal effort. The solution should be found, with the participation of all States concerned, in an appropriate legal framework. For our part we are ready to take part actively, within the spirit of the views we have just expressed, in the negotiation of an international instrument likely to meet the security interests of all States and to serve the cause of international peace and security.

Mr. NAIK (Pakistan): Pakistan's deep interest in strengthening the security of non-nuclear-weapon States is well known. We have strived relentlessly to promote this objective for more than a decade. In our view, progress has been made towards this goal and our present debate is a reflection of this.

The security of each State is today threatened by the continuing arms race, especially the nuclear arms race. While the nuclear Powers, particularly the two leading nuclear-weapon States, may obtain some measure of satisfaction from the so-called balance of nuclear deterrence, the non-nuclear-weapon States have no assurance whatsoever against nuclear threat or blackmail. Their security is increasingly jeopardized in proportion to the escalation of the arms race.

(Mr. Naik, Pakistan)

Complete security against the nuclear threat can only come about through nuclear disarmament and the total elimination of nuclear weapons. We hope that the nuclear-weapon States, particularly the two leading Powers, will soon take the initiative in promoting this objective. Until this comes about, the non-nuclear-weapon States need to be reassured that they are not left exposed to the threat of nuclear weapons. This is essential to prevent nuclear proliferation and to promote nuclear disarmament.

This rationale is widely accepted even by the major nuclear Powers. But their response has so far not always reflected this understanding. During the last decade, several efforts have been made to evolve an effective answer to the concern of non-nuclear States for security in the nuclear era. The most far-reaching approach, embodied in General Assembly resolution 1653 (XVI) was to declare that the use of nuclear weapons is contrary to the aims of the United Nations, that it is a direct violation of the Charter and contrary to the rules of international law and the laws of humanity. This proposition has now been reintroduced in this Committee in document A/C.1/33/L.2 which my delegation will, of course, support. We wonder whether the major nuclear Powers will also do so and if this will result in enhancing the security of non-nuclear-weapon States.

During the consideration of the Non-Proliferation Treaty, the three nuclear Powers, parties to that Treaty, promoted the adoption of Security Council resolution 255 (1968) which noted their intention to come to the assistance of non-nuclear-weapon States parties to the Non-Proliferation Treaty in case of nuclear attack or threat against them. The non-nuclear weapon States represented on the Security Council at that time - namely, Algeria, Brazil, India and Pakistan - pointed out, inter alia, that the offers of assistance against nuclear "aggression" lacked credibility since these were merely statements of intention and not commitments. The assistance to be provided was subject to veto in the Security Council; it was to extend only to those non-nuclear States which are parties to the Non-Proliferation Treaty; and, in any case, the kind of obligations offered under resolution 255 (1968) already existed under Article 51 of the Charter.

(Mr. Naik, Pakistan)

At the Non-Nuclear-Weapon States conference convened at Pakistan's initiative in Geneva 10 years ago, various proposals were considered on the subject including one submitted by my own delegation. This, firstly, urged the nuclear Powers to refrain from the use or threat of use of nuclear weapons against non-nuclear-weapon States and, secondly, recommended that the nuclear Powers assist a non-nuclear-weapon State which was a victim of aggression, not only through the Security Council but also jointly and collectively, in the exercise of the inherent right of individual and collective self-reliance. However, no consensus could be reached on the proposal due to the reservations and differences among the major nuclear Powers.

At the Non-Proliferation Treaty Review Conference three years ago, the non-nuclear-weapon States submitted a draft protocol to the Non-Proliferation Treaty which proposed that the nuclear Powers should extend guarantees of protection against a nuclear threat or attack to non-nuclear States parties to the Non-Proliferation Treaty and should undertake not to use or threaten to use nuclear weapons against them. This proposal was not even given cursory examination by the Review Conference.

The demand made by non-nuclear-weapon States for protection against nuclear threat or attack does raise some difficult political and other problems, although the obligation on the nuclear-weapon States to give such assistance is implicit in Article 51 of the United Nations Charter. However, we see no good reason, political or technical, why the nuclear Powers cannot undertake to abjure the use or threat of use of nuclear weapons against non-nuclear-weapon States.

In the past four years or more, Pakistan has endeavoured here at the United Nations, in the Islamic Conference and elsewhere, to build a measure of consensus on a formula for negative guarantees to non-nuclear-weapon States. We were indeed encouraged by the General Assembly's adoption of resolution 3261 G (XXIX) recommending that urgent consideration be given without delay to the question of strengthening the security of non-nuclear-weapon States. Two years later the General Assembly adopted

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resolution 31/189 C recommending a formula for security guarantees to non-nuclear-weapon States which was broadly acceptable to the overwhelming majority of United Nations Members. Last year, the Assembly reaffirmed the provisions of this resolution and urged the nuclear Powers to give serious consideration to extending the undertaking called for in resolution 31/189 C and to make all possible efforts to this end at the special session devoted to disarmament.

(Mr. Naik, Pakistan)

We acknowledge the effort made by nuclear-weapon States at the special session devoted to disarmament in making unilateral declarations on this subject. Nevertheless, these declarations, with one exception, were so hedged with restrictions and conditions as to make their impact on the security of non-nuclear-weapon States less than meaningful. To be credible, the unilateral declarations made by the nuclear Powers at the special session should be reconciled and invested with binding force under a legal instrument. This is how we interpret the call contained in paragraph 59 of the Final Document of the special session urging the nuclear Powers to conclude effective arrangements, as appropriate, to assure the non-nuclear-weapon States against the use or threat of use of nuclear weapons.

We see the Soviet proposal for an international convention on the question of guarantees to non-nuclear-weapon States against the use or threat of use of nuclear weapons as a response to this recommendation of the special session. We have therefore expressed our satisfaction at the Soviet initiative. My delegation has closely studied the draft treaty circulated by the Soviet delegation in document A/33/241 and heard with deep interest the statement made yesterday by the Soviet representative. The Pakistan delegation agrees that an international convention is the best way in which the guarantees of non-use can be extended to the non-nuclear-weapon States and that such a convention should be elaborated as soon as possible.

Having said that, let me offer our comments and proposals regarding the text of the draft convention and the draft resolution to be adopted on this subject.

First, the preamble of the draft convention. The draft convention proposed by the Soviet delegation in document A/33/241 purports to deal with the security concerns of the non-nuclear-weapon States. This preamble, however, places the problem of the security of non-nuclear-weapon States in a perspective that is considerably different from that of the non-nuclear-weapon States themselves. What we are seeking here are not measures to ensure the exclusion of weapons from certain territories where they do not exist. This is the function of measures such as those on nuclear-weapon-free zones and on zones of peace. What is being sought under this item is an assurance

(Mr. Naik, Pakistan)

to be given by States that already possess nuclear weapons that they will not use or threaten to use them against States that do not have them. In order to correct this perspective, we would prefer to see an entirely new set of preambular paragraphs for the draft convention. These would, inter alia, refer to the underlying dangers of the nuclear-arms race and the possibility of nuclear war; reiterate that nuclear disarmament is the best solution to the threat of nuclear weapons and that, until this is achieved, the nuclear-weapon States should respond by extending binding and credible security guarantees to non-nuclear-weapon States.

Secondly, the key question is: which non-nuclear-weapon States should be covered by the guarantees against the use or threat of use of nuclear weapons? Fundamentally, Pakistan's position is that all non-nuclear-weapon States should receive such guarantees. However, only one nuclear Power, the People's Republic of China, has extended such an assurance. All other formulations, including that contained in article I of the Soviet draft convention, are conditional, qualified and less than universal. We are, of course, familiar with the Soviet formula for negative guarantees that was advanced in 1966 by the Premier of the Soviet Union, Mr. Kosygin. As far as Pakistan is concerned, this formulation covers our national concerns since we do not produce nuclear weapons nor do we have them on our territory. But security assurances, if they are to be meaningful, must be obtained from all the nuclear Powers, and we are all aware that the Soviet formulation poses fundamental difficulties to certain States. These States feel that this formulation is not consonant with the principle that a disarmament measure should not diminish the security of any State.

The other major nuclear Power, and its allies, also reserves the right to use nuclear weapons against non-nuclear-weapon States of the opposing alliance because of the alleged inferiority of their conventional arsenals. The declarations made by the United States and the United Kingdom during the special session on disarmament reflect this position. These declarations, we believe, are less satisfactory from our viewpoint than the formulation in article I of the Soviet draft treaty. It is entirely unclear as to which non-nuclear-weapon States are eligible for the guarantees extended by these declarations. While a non-nuclear State in "alliance" with a nuclear Power may be known, one that is "associated" with a nuclear-weapon State may at times remain anonymous.

(Mr. Haik, Pakistan)

We do not approve or endorse strategic doctrines that rely on nuclear weapons for self-defence. However, until such doctrines of deterrence are given up as illusory, the world is faced with the reality of the opposing alliance strategies. It is these opposing strategies, both of which do not rule out a nuclear strike against a non-nuclear State of the opposing bloc, that make the task of evolving what the Soviet representative called "a uniform obligation" all the more difficult.

Pakistan has endeavoured over the past several years to overcome this basic difficulty. We believe that the formula for negative security assurances adopted in resolution 31/189 C of the General Assembly goes a considerable way in doing so. This resolution invited the nuclear-weapon Powers to consider undertaking not to use or threaten to use nuclear weapons against States that are "not parties to the nuclear security arrangements of some nuclear-weapon Powers". I should like to clarify here that by the phrase "parties to the nuclear security arrangements" is meant those States members of the North Atlantic Treaty Organization (NATO) and of the Warsaw Pact alliance and others which are parties to bilateral arrangements and consider themselves to be protected against nuclear attack. All other non-nuclear-weapon States would be eligible under this formula to negative guarantees from the nuclear Powers. These States, the overwhelming majority of which are the countries of the third world, are of the view that their security against a nuclear threat should be ensured without being required to submit themselves to the nuclear umbrella and alliances of the major nuclear Powers.

(Mr. Naik, Pakistan)

This formulation did not derive from any habit of thinking in terms of bloc politics; rather, it confronts the reality of the existence of military blocs and their strategic doctrines. The only way to get around this difficulty is to dismantle the nuclear military alliances and the deployment of strategic and tactical nuclear weapons which exist under these alliances, and to give up the claim to use nuclear weapons against all non-nuclear-weapon States. We hope that this will soon come about; but until this happens, the non-nuclear-weapon States of the third world, which are not involved in these nuclear arrangements and do not wish to become parties to such arrangements, have a right to be assured that they will not be threatened with nuclear weapons.

The formula for security guarantees contained in resolution 31/189 C responds to the concerns and preoccupations underlying both the Soviet formulation in article I of its draft convention, as well as the formulations contained in the unilateral declarations made at the special session by the United States and the United Kingdom. This formula has the support of the vast majority of United Nations Members, having been approved in the Assembly by nearly 100 positive votes on two occasions. And even though the nuclear Powers, with the exception of China, abstained on this resolution, we take heart from the fact that they did not oppose the formulation for the security guarantees contained therein and expressed their understanding for the initiative. We are aware that this formulation does not resolve all the problems; the issues are intricate. But it does represent the highest common denominator of agreement that has been reached on the question of guarantees to non-nuclear-weapon States against the use or threat of use of nuclear weapons. It is for this reason that my delegation believes that this formulation is the most suitable basis for a consensus on this question.

The third point is the question of whether it is legitimate to ask for the renunciation of nuclear weapons by non-nuclear-weapon States in exchange for a non-use guarantee. The Soviet draft convention, as well as the declarations of the United States and the United Kingdom, speak of the extension of guarantees to those non-nuclear States which have renounced nuclear weapons in one form or another. There are fundamental differences

(Mr. Naik, Pakistan)

on this question. Many States believe that security assurances to non-nuclear-weapon States are an obligation on the nuclear Powers and should be extended irrespective of the formal adherence by a non-nuclear-weapon State to the Non-Proliferation Treaty or some other such instrument. For example, during the consideration of resolution 255 (1968) in the Security Council, the representative of India stated, inter alia,

"... that any security assurances that might be offered by nuclear-weapon States could not and should not be regarded as a quid pro quo for the signature of a non-proliferation treaty. ... The assurance of security to non-nuclear-weapon States is an obligation on the nuclear-weapon States, and not something which they could or should offer in return for the signature by non-nuclear-weapon States of a non-proliferation treaty." (S/PV.1433, p. 42)

The declarations of the three nuclear Powers noted by resolution 255 (1968) were also criticized as being discriminatory since they extend the assurance of protection only to non-nuclear States parties to the Non-Proliferation Treaty, whereas the obligation under Article 51 of the Charter for assistance in individual and collective self-defence extends to all States irrespective of their adherence to treaties and alliances.

Moreover, those States which are already parties to the Non-Proliferation Treaty, or to some regional treaties like the Treaty of Tlatelolco, seem to feel that the requirement in the Soviet draft convention that they renounce nuclear weapons is superfluous since they have already done so.

My delegation believes that the renunciation of nuclear weapons is implicit in the status of a non-nuclear-weapon State. The negative guarantees to be given by the nuclear Powers to non-nuclear-weapon States under the proposed convention should not be seen as an exchange for a commitment from the latter not to acquire nuclear weapons, but as an incentive for them to refrain from doing so. Commitments against non-proliferation are desirable, but the most appropriate means to obtain them is perhaps elsewhere than in the proposed convention on negative guarantees to non-nuclear-weapon States.

(Mr. Naik, Pakistan)

Fourthly, my delegation believes that since the ultimate safeguard against the threat of nuclear weapons is nuclear disarmament, the draft convention should include, in a second article, a further commitment by the nuclear Powers to avoid the possibility of the use or threat of use of nuclear weapons in any contingency and to achieve nuclear disarmament in the shortest possible time. The convention should make it clear that negative guarantees are but a first step towards these goals.

Fifthly, the procedure for implementation of the convention outlined in article III of the Soviet draft is not commensurate with the gravity of a possible violation of the obligations under the convention. It is apparent that a violation of obligations would create a breach of peace or a threat to peace. The least that can be done to respond to such a situation is to have the Security Council convened into urgent session, under Chapter VII of the Charter, with a view to preventing such a breach of the peace or redressing the situation arising therefrom.

Sixthly, the Soviet draft provides in article IV that a party to the convention is entitled to secede from the convention if it determines that its higher interests are in jeopardy. This, we believe, does not take into account the nature of the obligations to be undertaken under this convention. It contemplates an engagement, not between equals, but between unequals. In case a non-nuclear State acquires nuclear weapons, it would obviously no longer be covered by the assurance given in article I of the draft convention. It is difficult to imagine the kind of situation that could justify the withdrawal of a commitment by a nuclear Power not to use or threaten to use nuclear weapons against non-nuclear-weapon States in general.

Seventhly, the Soviet draft leaves open the question of when the convention would come into force. My delegation feels that the essential precondition for this should be not so much the ratification by non-nuclear-weapon States but its ratification by the two leading nuclear Powers. It is these States which possess the nuclear arsenals and delivery systems which can threaten non-nuclear-weapon States in every corner of the globe.

(Mr. Naik, Pakistan)

Instead of submitting the extensive amendments to the Soviet draft treaty which would be entailed in the light of my comments, the Pakistan delegation has considered it advisable to circulate with this statement a working paper which contains the text of an alternative draft convention on the question of guarantees to non-nuclear-weapon States against the use or threat of use of nuclear weapons. This will enable members to evaluate the position of the Pakistan delegation more fully and comprehensively.

The next question I should like to take up is the manner in which we should deal with this item during the current General Assembly session. There are, as we all know, important differences on both the substantive and procedural aspects of this issue. My delegation feels that an agreed course of action can be evolved despite these differences. We have made an attempt to elaborate a possible compromise approach in a second working paper, which we are also distributing informally.

It is a draft resolution we suggest which we feel reflects in its preambular part the background of the question as contained in previous resolutions and decisions of the United Nations, including those of the special session on disarmament. This preamble also reflects more fully the concerns and preoccupations of the non-nuclear-weapon States about the nuclear threat.

Our draft resolution also attempts to accommodate the positions of other States. Thus, it will be found that in operative paragraph 1 we have suggested that cognizance be taken of the proposal made in the General Assembly by the United States Secretary of State, Mr. Vance, that the Security Council should be asked to take note of the declarations made by the nuclear Powers at the special session on disarmament. Nevertheless, we feel that, while doing this, the Security Council should urge the nuclear Powers to reconcile their positions and elaborate the concept of negative guarantees in a more binding and legal multilateral form.

At the same time, my delegation hopes that this Assembly can endorse the view that early consideration should be given to the elaboration of a

(Mr. Naik, Pakistan)

convention on the question of guarantees to non-nuclear-weapon States against the use or threat of use of nuclear weapons. The Committee on Disarmament should receive the documents and views submitted here on this item and be requested to proceed as early as possible to negotiate the text of a convention or agreement on this question. This question has been deliberated upon for more than a decade in the General Assembly and elsewhere; we believe that what is now required is to come to grips with the essential problem of formulating the uniform negative assurances which all the nuclear Powers and non-nuclear States can accept. This is not to say, of course, that the Committee on Disarmament can conclude consideration of such a convention during the next year. In all likelihood, this may take longer. Therefore, next year the General Assembly could agree to place on its agenda an item which deals with "progress in the consideration of a convention or agreement" on this question.

In conclusion, I should just like to state that my delegation will hold further consultations with the Soviet delegation and other interested members before deciding whether to submit its text formally in the Committee. Our purpose in circulating these drafts is not to preempt the views and proposals that may be put forward by others but to help in evolving an agreed course of action during this session on this important subject, because we feel that the United Nations has grappled with the question of strengthening the security of non-nuclear-weapons States for over a decade, and surely it is time that the world Organization acted positively on this crucial issue.

Mr. HOLLAI (Hungary): Security is pivotal to the lives of States. In paragraph 1 of its Introduction the Final Document declares:

"Attainment of the objective of security, which is an inseparable element of peace, has always been one of the most profound aspirations of humanity." (General Assembly resolution S-10/2, para. 1)

In order to achieve security, States have piled up growing stocks of arms, including nuclear weapons, around the globe. The world has come to a stage when, as is also stated in paragraph 1 of the Final Document,

"... the accumulation of weapons ... today constitutes much more a threat than a protection for the future of mankind". (ibid)

(Mr. Hollai, Hungary)

Recent years have seen a clear reflection of this realization in the debates on disarmament, including those at the special session of the General Assembly. The Final Document is clear in its terms when it says:

"Removing the threat of a world war .. a nuclear war - is the most acute and urgent task of the present day." (ibid., para. 18)

The goal is:

"... to remove the threat of nuclear weapons, to halt and reverse the nuclear arms race until the total elimination of nuclear weapons and their delivery systems has been achieved, and to prevent the proliferation of nuclear weapons. At the same time, other measures designed to prevent the outbreak of nuclear war and to lessen the danger of the threat or use of nuclear weapons should be taken." (ibid., para. 20)

During its 33 years of existence, the United Nations, born and raised in the nuclear age, has devoted a great deal of time to this question of eliminating, or at least lessening, the danger of the threat or use of nuclear weapons.

We believe that this very purpose is served by the proposal of the Soviet Union now before us. However, before embarking on it, let me take a brief historical glance over the road the world has travelled. There is no doubt that the most radical solution of the problem - namely, that of the use of nuclear weapons - would have been the adoption, upon the emergence of nuclear weapons, of an agreement banning the manufacture and use of those weapons and providing for the destruction of existing stockpiles of them. As a matter of fact, there was such a proposal, which the Soviet Union had submitted at the second session of the Atomic Energy Commission at that time, as far back as 19 June 1946. Unfortunately, the circumstances and the balance of power as they existed at that time did not make it possible for that proposal to be accepted, and the world, rather than seeing no country possessing nuclear weapons, has come to find several States armed with weapons of this type, which, for good measure, have become a built-in element of their doctrines of strategy, defence and deterrence - and not only of those of individual countries but of whole systems of alliance. Under such circumstances, a solution to this issue has grown incomparably more complex.

The question concerning the prohibition of the use of nuclear weapons has been taken up by the United Nations time and again, which is indicative of the importance attached to it.

(Mr. Hollai, Hungary)

In the 1960s the primary emphasis was placed on other aspects of reducing the danger of nuclear war, namely preventing the spread of nuclear weapons. Nevertheless, the non-use of these weapons has always been - and in a somewhat new approach - an important ingredient of the whole complex of problems. The non-nuclear-weapon States, aware of the dangers involved in the spread of nuclear weapons and renouncing the nuclear option, were rightfully looking to the nuclear Powers to give them clear-cut guarantees not to use or threaten to use nuclear weapons against them.

Once the Non-Proliferation Treaty (NPT) had been signed, the three nuclear Powers parties thereto voted for Security Council resolution 255 (1968) which dealt with questions relating to the security of non-nuclear-weapon States parties to the Non-Proliferation Treaty. While the Security Council resolution represented a step forward, it was criticized by a number of States mainly because it made a distinction between non-nuclear-weapon States and it was not voted for by all the nuclear-weapon Powers. Therefore the security of the non-nuclear-weapon States is still a topical question.

The imperative demand to devise effective measures to ensure the security of non-nuclear-weapon States and the need to have assurances from the nuclear-weapon Powers that they will not use or threaten to use nuclear weapons against the non-nuclear-weapon States is clearly reflected in the relevant resolutions of the General Assembly.

The special session devoted to disarmament paid great attention to the question of the use or non-use of nuclear weapons. At that session the United States and Great Britain announced in separate but largely concurrent statements that they would not use nuclear weapons against non-nuclear-weapon States parties to the Non-Proliferation Treaty or those which undertake a similar international obligation not to acquire nuclear weapons, unless the latter - in alliance with a nuclear Power - launch an attack against the territories, armed forces or allies of the former.

(Mr. Hollai, Hungary)

Concerning the restriction on the eventual use of nuclear weapons, the Soviet Union made a clear announcement to the effect that it would never use nuclear weapons against States which renounced the manufacture and acquisition of nuclear weapons and which had no such weapons in their territories. It can readily be stated that at first sight this formula contains few conditions - virtually only one, in fact - namely that the countries in question should be truly non-nuclear States - against which the use of nuclear weapons is ruled out even as a means of self-defence.

Since, however, there were differences in the unilateral announcements and in the underlying considerations regarding the provision of security guarantees referred to during the special session, the Final Document had to be confined to the statement that:

"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" (A/S-10/2, para. 59).

Against this background we regard the Soviet initiative on the strengthening of guarantees of the security of non-nuclear States as one of particularly great importance and timeliness. This proposal, which is the first concrete one aimed at achieving the goals of the Final Document and which is to be welcomed if only for that reason, has several advantages over unilateral announcements.

First, it meets the desire of the non-nuclear countries to be given international legal guarantees by the nuclear States that they will not use nuclear weapons against them.

Secondly, it would encompass a broader - practically the full - range of truly non-nuclear States. Previous formulas raised certain problems because of the differences in non-nuclear States, some of which were parties to the NPT while others were not but assumed an obligation under other binding international treaties not to manufacture or acquire nuclear weapons and not to have such weapons on their territory or anywhere under their jurisdiction or control - on land or sea, in the air or in outer space. For the purpose of the

(Mr. Hollai, Hungary)

present draft convention such differences lose their relevance, for any of the truly non-nuclear States that meet the said criteria may be a party thereto. Moreover, those countries would not be required to assume any additional obligations except that of reaffirming their present non-nuclear status.

Thirdly, the obligations assumed by the nuclear Powers would also be uniform, which would undoubtedly increase the confidence of non-nuclear-weapon States in such obligations.

Fourthly, this convention would not affect the possibility for non-nuclear-weapon States to share in the benefits obtained from the peaceful uses of atomic energy.

Fifthly, we are firmly convinced that such a convention would be an important contribution to the strengthening of the non-proliferation régime.

Finally, it is our belief that the conclusion of such a convention would also contribute, in the broadest sense, towards stronger international peace and security, and would be a major practical step on the road to that goal.

We are fully aware that the elaboration of a convention on such an important question of direct concern to the security of States is a complicated process. This, however, must relieve none of us from the responsibility and the obligation of embarking on the elaboration of that convention. The most suitable forum for doing so is in our opinion the Committee on Disarmament.

For all these reasons, my delegation strongly supports the draft resolution contained in document A/C.1/33/L.6 presented by the Soviet Union and we are hopeful that it will be endorsed by this Committee.

The CHAIRMAN (interpretation from Spanish): Before adjourning the meeting, I wish to announce the following additional sponsors of draft resolutions now before the Committee: draft resolutions A/C.1/33/L.2, A/C.1/33/L.3, A/C.1/33/L.4, and A/C.1/33/L.5, Bolivia; draft resolution A/C.1/33/L.5, Barbados; and draft resolution A/C.1/33/L.7, Canada.

The meeting rose at 4.30 p.m.