



UN LIBRARY
NOV - 1978
UN/SA COLLECTION

FIRST COMMITTEE
26th meeting
held on
Thursday, 2 November 1978
at 3 p.m.
New York

VERBATIM RECORD OF THE 26TH MEETING

Chairman: Mr. PASTINEN (Finland)

CONTENTS

AGENDA ITEM 128: CONCLUSION OF AN INTERNATIONAL CONVENTION ON THE STRENGTHENING OF
GUARANTEES OF THE SECURITY OF NON-NUCLEAR STATES (continued)

* This record is subject to correction. Corrections should be incorporated in a copy of the record and should be sent *within one week of the date of publication* to the Chief, Official Records Editing Section, room A-3550.

Corrections will be issued shortly after the end of the session, in a separate fascicle for the Committee.

Distr. GENERAL
A/C.1/33/PV.26
6 November 1978
ENGLISH

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. BLOMBERG (Finland): The Finnish delegation notes with satisfaction that the strengthening of guarantees of the security of non-nuclear-weapon States is under discussion as a separate item. It is an important issue for all countries, nuclear and non-nuclear, neutral and allied, large and small. It is intimately connected with many crucial questions of international security and disarmament.

In the course of the past few years, and even months, the question of the security of non-nuclear-weapon States against the threat or use of nuclear weapons has indeed assumed a new dimension.

The Government of Finland has welcomed this development. Its position was reiterated by its Foreign Minister in his statement in the general debate on 28 September. He stated:

"As we have emphasized on several occasions, we would find it just and reasonable that those States which have committed themselves to a nuclear weapon-free status also receive assurances that nuclear weapons would not be used against their territories in any circumstances."

(A/33/PV.12, p. 22)

The present item could be seen in a rather wide context. There are many approaches to the strengthening of the security of the non-nuclear-weapon States. Many of these are interdependent and can be pursued simultaneously. Let me begin by dwelling on only two of these approaches - first, the prevention of the spread of nuclear weapons and, secondly, the establishment of nuclear-weapon-free zones.

My Government has consistently held the view that the Non-Proliferation Treaty as such is in the interest of the security of both the world community at large and individual States, nuclear and non-nuclear alike. Despite its imperfections the Treaty has proved an effective instrument in containing the danger posed by the spread of nuclear weapons.

(Mr. Blomberg, Finland)

The question of the security of non-nuclear-weapon States was raised in more specific terms in the negotiating stages of the Non-Proliferation Treaty. Non-nuclear-weapon States sought formal guarantees that the renunciation of the nuclear option would not place them at a military disadvantage vis-à-vis the nuclear-weapon States. However, it proved not possible to find an all-encompassing formula in the Treaty that would have satisfied the security concerns of all non-nuclear-weapon States. Instead, the three depositary States of the Treaty agreed to submit a resolution to the Security Council on measures to safeguard the security of the non-nuclear-weapon States. This resolution, 255 (1968), was the companion piece of pledges by the three nuclear Powers of their intention to provide positive security guarantees through action by the Security Council. In a way it foreshadowed an international nuclear deterrent within the framework of the United Nations. These declarations were a contribution to the collective security system provided for in the Charter, but they did not entirely solve the issue of the security of non-nuclear-weapon States.

In its Final Declaration, the first Review Conference of the Parties to the Treaty recognized that non-nuclear-weapon States find themselves in differing security situations. Therefore, various means would be necessary to meet their security concerns. The discussion at the Conference provided further evidence of the fact that measures to strengthen the security of non-nuclear-weapon States are in the hands of those States which possess these weapons. The relatively slow progress in nuclear disarmament has further exacerbated the concerns of non-nuclear-weapon States.

I should now like to discuss briefly the role of the establishment of nuclear-weapon-free zones in the strengthening of the security of States. One of the principal objectives of the establishment of nuclear-weapon-free zones is to increase the security of the zonal States. This was fully recognized in the comprehensive study on the question of the nuclear-free zones carried out by the Ad hoc Group of Qualified Governmental Experts under the auspices of the Conference of the Committee on Disarmament (CCD) in 1975.

(Mr. Blomberg, Finland)

It is important that the status of a nuclear-weapon-free zone be respected by all extra-zonal States, especially by nuclear-weapon States. The security guarantees given by the zonal States will be of special significance in this respect. The Government of Finland concurred in the conclusion of most experts in the study group. According to this conclusion, arrangements for the establishment of a nuclear-weapon-free zone must provide for appropriate guarantees by the nuclear-weapon States against the use or threat of use of nuclear weapons against members of the zone.

Reflecting the complexity of the issue, no consensus was reached in the Group of Experts on the acceptance of the principle relating to the security guarantees. Regrettable as it was, it was due not to any irreconcilable controversy on the principle itself but rather to an understandable reluctance on the part of the nuclear-weapon States to commit themselves in advance to a generalized and abstract undertaking.

Against this background, it is encouraging to note the unilateral security assurances that nuclear-weapon States have subsequently given.

Another encouraging development is the advance towards the full application of the Treaty of Tlatelolco. Its Additional Protocol II, which provides non-use assurances by the nuclear-weapon States, has been signed and ratified by all nuclear-weapon States.

The Government of Finland has noted with great satisfaction the security assurances already unilaterally given by the nuclear-weapon States. Statements to this effect have been made by President Giscard d'Estaing on 25 May 1978; by President Carter on 4 October 1977 and by Secretary of State Vance on 12 June 1978; by President Brezhnev on 4 March 1978, and by Foreign Minister Gromyko on 26 May 1978; by Foreign Minister Huang on 29 May 1978, and by Ambassador Lai on 26 October 1978; and by the representative of the United Kingdom, Ambassador Ashe, on 27 June 1978.

The unilateral declarations of individual nuclear-weapon States evidently do not meet the objective to the fullest possible extent. There is a certain amount of diversity among the statements, and some are clearly

(Mr. Blomberg, Finland)

more restrictive and more qualified than others. As one possibility, to make the guarantees more binding and credible, it has been suggested, for instance, that the declarations be recognized by the Security Council.

In its Final Document the special session devoted to disarmament urged the nuclear-weapon States "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". (Resolution S-10/2, para. 59)

In the light of these considerations, my Government has taken note with particular interest of the proposal by the Soviet Government concerning security guarantees to non-nuclear-weapon States. The Soviet initiative deserves to be studied carefully. We hope that it will lead to thorough discussion on this crucial issue with participation of both nuclear and non-nuclear-weapon States, and to arrangements for the provision of security guarantees by all nuclear-weapon States.

All approaches could be pursued simultaneously; no avenues should be left unexplored. No efforts should be spared in the pursuit of increasing guarantees to the States that have made an important contribution to the international community by committing themselves to a nuclear-weapon-free status.

Mr. FIGUEIREDO (Angola): On behalf of my delegation, Sir, allow me to extend to you our very best wishes on your election to the chairmanship of this Committee, a post for which you are eminently suited. Similarly, we also greet the Vice-Chairmen and the Rapporteur.

My country took part in the tenth special session of the United Nations General Assembly devoted to disarmament. On that occasion, the Prime Minister of the People's Republic of Angola, His Excellency Mr. Lopo do Nascimento, referred in the general debate to the location of Angola in southern Africa, a region of great military tension provoked by imperialist acts of aggression, and to Angola's policy of non-alignment, both these factors combining to reinforce the necessity for a total commitment on our part to the goals of

(Mr. Figueiredo, Angola)

general and complete disarmament. However, while the international community struggles towards the attainment of this goal, while the nuclear States - the established ones as well as those in the making - work out a disarmament process and procedure, non-nuclear States like ours are faced with the threat of nuclear attack and nuclear annihilation. We cannot devote our resources and our energies to the massive task of reconstruction that faces us unless we feel, and are, secure against the threat of nuclear attack and destruction. We have not struggled for centuries against colonialism and exploitation only to find ourselves still enslaved by a new kind of imperialism, an imperialism of nuclear terror.

It is for this reason that the People's Republic of Angola notes with great appreciation the proposal of the Union of Soviet Socialist Republics to conclude an international convention on the strengthening of guarantees of the security of non-nuclear States.

We are aware of those General Assembly and Security Council resolutions that seek to allay fears by providing safeguards for the security of non-nuclear States which are parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT). The People's Republic of Angola has not yet signed this Treaty, not because we have nuclear aspirations, but because we are still engaged in the work of basic reconstruction, and we have not yet had enough time to study and assimilate all the international conventions which we may eventually sign and ratify. In this context, we find the Soviet proposal to strengthen the security of a wider number of States than that covered by Security Council resolution 255 (1968) very encouraging, and we support it.

The majority of States represented here are non-nuclear States. Some of them have the necessary technological and economic wherewithal to acquire nuclear technology. Others, like the People's Republic of Angola, do not for the moment have these resources. But there are not too many States in the international community in the dangerous position in which independent States of southern Africa find themselves: a hostile, racist minority régime on our borders, one with close links to Western imperialism, a State that serves as a valuable outpost of imperialism, a State that is a valued collaborator of the countries of the North Atlantic Treaty Organization (NATO), a State that is the key to the proposed South Atlantic treaty organization. Mr. Roux, Chairman of the South African Atomic Energy Board, declared as early as 1971 that South Africa was "now in a position to produce its own atomic weapons". In fact, as far back as 1967, the South African Digest expressed its very special gratitude to the Kissinger and Strauss Governments "for training South African nuclear scientists and nuclear technicians in West Germany".

I refer here also to the \$1.2 billion nuclear-power deal announced in May 1976 between the Electricity Supply Commission (ESCOM) of South Africa and a consortium of French companies - Framatome Alsthom and Spie-Batignolles. The nuclear-power station at Koeberg, 17 miles north of Cape Town, will be supplied with nuclear reactors by Framatome and turbine generators by Alsthon. The first unit is scheduled to go into operation in 1982 and the second a year later. The contract covers the supply of six fuel element deliveries; thus the French consortium has committed itself to at least an 18-year involvement in the project.

It is technically estimated that if South Africa built a reactor with a 1 million kilowatts capacity, it would be able to manufacture each year 30 plutonium bombs of the size of the atomic bomb which destroyed Nagasaki. South Africa would then not be far from being capable of making a nuclear bomb for air delivery, for which South African Canberra bombers, British-supplied Buccaneers and French-supplied Mirages could be used. This means that, even operating from within its own borders, South Africa would be able to stage a nuclear attack against East African countries, Mozambique, Zaire and Angola, as well as reaching far out into the Indian and Atlantic Oceans.

In this connexion, I wish to digress a little, and mention the construction of the Advokaat military communications system built by South Africa in co-operation with several Western companies at a cost of over 15 million Rand. The installation at Silvermine, Westlake, not far from Simonstown, became operational in March 1973, and has the ability to maintain surveillance from South Africa's coastline across the South Atlantic to South America and across the Indian Ocean to Australia and New Zealand. It is significant that the Advokaat system becomes operational in the northern part of the South Atlantic, virtually where the NATO area ends at the Tropic of Cancer. For the purpose of military surveillance and communications in the southern oceans, South Africa has virtually become a nerve-centre for Western defence. A resolution passed by a meeting of the NATO Assembly in Bonn in November 1972 recommended to the NATO Ministerial Council that it give the Supreme Allied Commander, Atlantic (SACLANT)

(Mr. Figueiredo, Angola)

"authority to plan for the protection of NATO Europe's vital shipping lines in the Indian Ocean and the South Atlantic including surveillance and communications". In 1974, it was reported in the press that SACLANT, which is based in Norfolk, Virginia, had reached the conclusion that NATO itself does not have sufficient forces to deal with that area, and therefore a defence arrangement involving the white minority régimes of southern Africa, South Africa in particular, is required.

With NATO interest in the area, with South Africa's nuclear installations, with South Africa's refusal to sign the NPT - not that we would feel secure even if it did - my country remains in a state of alarm, and with good reason. As a front-line State, and because of its revolutionary ideology, Angola is committed to the struggle for the total liberation of the oppressed peoples in southern Africa and a genuine transfer of power to the majority inhabitants of those areas controlled by the racist minority régimes. Therefore, we are aware of the danger all of us are in, because our alliance and our activity threaten Western imperialist interests. Thus we do not feel secure against the danger of nuclear attack from NATO's ally. Hence we immediately see the value of the Soviet proposal which would give us additional international legal safeguards; we can thus also contribute, in our own small way, to the prevention of the proliferation of nuclear weapons, and ultimately to their elimination. In fact, we appeal to all our comrades, especially those in the non-aligned movement, to recognize the worth of this proposal and the security guarantees that the adoption of a convention would bring to States like ours, and to support this proposal. Such international legal safeguards would give us the freedom of mind we seek to devote all our energies, our attention and our resources to the more vital tasks that confront us today - the building of a just society, a self-sufficient nation, the optimum use of our national resources to further the cause of peace and freedom, not only in our part of Africa, but in the world at large.

The struggle continues; victory is certain.

Mr. SHEVEL (Ukrainian Soviet Socialist Republic) (interpretation from Russian): There is no more important international and political problem today than the cessation of the arms race. That thought is the underlying theme in the statements of the majority of the representatives at the current session of the General Assembly. The same thing happened, as a matter of fact, at the special session as well, the one we have recently discussed in our Committee. The solution of this problem has had primary attention devoted to it by the countries of socialism, united in their struggle for common communist ideals, advancing in serried ranks and united under the banner of peace. They have put forward and are defending a broad realistic programme which provides for the exclusion of the arms race from international life. That is the purpose of the proposals concerning the total cessation of the further qualitative and quantitative stock-piling of arms and armaments in States which have major military potential.

(Mr. Shevel, Ukrainian SSR)

In moving in this direction, it would be important to come to agreement on practical measures in the solution of problems which are still integral parts of the over-all range of measures which would curb the arms race. I am speaking here of the total prohibition of nuclear-weapon test, the cessation of the production of nuclear weapons in all its forms and the gradual reduction of stockpiles down to their total elimination, the prevention of a further proliferation of nuclear weapons, the prohibition of the establishment of new forms and systems of weapons of mass destruction and a number of other measures which point to the same goal.

Among these measures, a worthy place is being assumed by the proposal now under consideration in the Committee concerning the conclusion of an international convention on the strengthening of guarantees of the security of non-nuclear States.

In circumstances where the nuclear arms race has not yet been stopped, when the transition to nuclear disarmament and the total prohibition of nuclear weapons has not yet begun, the Soviet proposal would serve as a clearing of the way towards a solution of these cardinal tasks. It would be a contribution to the cause of the non-proliferation of nuclear weapons and to the cause of the weakening and, in the ultimate analysis, of the elimination of the threat of nuclear war.

The draft international convention which has been introduced for consideration is a carefully weighed and properly balanced document, which proposes a clear determination of the non-use of nuclear weapons by nuclear-weapon States and the renunciation of their use or threat of use against States parties to the convention which do not possess nuclear weapons and which retain that status.

There has already been a detailed explanation of the provisions of the draft convention and, in this connexion, we should also like to draw attention to a number of its aspects. First of all, in the draft convention proposed by the Soviet Union there is a clear definition of the category of States which are to be the recipients of guarantees. These are States which have renounced the production and acquisition of nuclear weapons and have no nuclear weapons upon their territories or anywhere under their jurisdiction

(Mr. Shevel, Ukrainian SSR)

and control on land, on sea, in the air and in outer space. In none of the statements of other nuclear Powers concerning guarantees to non-nuclear States is such a highly developed definition given. It is clear that one of the advantages of the formalization of guarantees for non-nuclear States in the form of an international act is the possibility of elaborating a more or less clear and uniformly acceptable formulation. Secondly, the depositary of the acts of ratification of and association with the convention is to be the Secretary-General of the United Nations, according to this proposal. Therein, as in a number of other instances, is a direct link established between the formalization of guarantees of security to virtually the overwhelming majority of the States Members of the United Nations and the Organization itself, which, under the Charter, bears responsibility for the maintenance of international peace and security.

From the letter of the member of the Politburo of the Communist Party of the Soviet Union and Minister for Foreign Affairs of the USSR, Comrade Gromyko, and the draft convention before us, it is clear that the Soviet proposal addressed to the countries concerned is designed to meet their wishes and aspirations. Indeed, the draft convention embodies the ideas which have already long been stated by Governments of non-nuclear-weapon countries. Suffice it to hear the discussions at the present session to recall the positive reaction brought about by the statement of the Soviet Union at the special session devoted to disarmament to the effect that it would never use nuclear weapons against those States which have renounced the production or acquisition of such weapons and which do not have that type of weapon on their territories and that it was ready to enter into agreements with them on this point. The statements of other nuclear Powers on this subject have also been noteworthy.

The Soviet proposal has given rise to much interest at the present session and convincing support was provided for it. In essence its discussion was started long before the First Committee actually embarked upon the consideration of the relevant agenda item. It was commented upon in the general debate and from the very beginning in the First Committee, and this is understandable, because the question of strengthening security is of interest to the majority of States in the modern world, where we see a continuation of the arms race brought about by imperialist forces, where hotbeds of international conflicts

(Mr. Shevel, Ukrainian SSR)

persist, where there is a policy of aggression and racial discrimination in the Middle East and Africa. It is no happenstance that the Ministers for Foreign Affairs of non-aligned countries, who met in July this year in Belgrade, "devoted great attention to the problems of international security and, against this background, to the strengthening of security of the non-aligned countries." (A/33/206, p.20, para. 35)

The Soviet proposal -- and this is entirely clear -- goes to meet the concern of the non-aligned countries. Its purpose is to fulfil the great interest associated with protecting their security.

As always, a dissonant note was the demagogic statement of the representative of China, which was full of invective and slanderous fabrications. That representative, in spite of what was stated by non-aligned countries, said that these countries allegedly do not need any guarantees for the strengthening of their security provided for in the Soviet proposal. No, he not only failed to express the view of the non-aligned countries -- which he claimed to be doing -- but his assertions are in fact directly contrary to the position of these countries.

In proposing the further strengthening of guarantees of the security of non-nuclear States, the Soviet Union of course proceeds from the premise that the solution of the question is, so to speak, not starting from scratch. In any event, the Soviet statement on this score is a measure to provide such guarantees, but the proposal now under consideration is calculated to achieve more in order to ensure that the guarantees of security bear the character of a uniform rule of international law.

The discussion has shown that many delegations have highly valued the Soviet initiative, understanding that it goes beyond unilateral statements concerning the non-use of nuclear weapons. It is illustrative, in this respect, that the representative of Jordan pointed to the need for more decisive measures than unilateral assurances, whereas the representative of Brazil said that guarantees "must be firm legal commitments". In our opinion, the proposal to conclude a convention proceeds from the same premises. Thus we have before us definite agreement to the effect that guarantees must be cast in the form of an agreement, in other words, in the form of an international legal document, and this is what we are called upon to do in the Final Document of the special session.

(Mr. Shevel, Ukrainian SSR)

United Nations practice points in favour of the elaboration of a document in the form of an international agreement, because the United Nations has on more than one occasion been dealing with the legal formalization of the results of favourable changes in the international atmosphere and the adoption of international legal instruments which have contributed to the strengthening of peace and the security of peoples.

In examining some of the results of the current discussion, it is not difficult to see that the watershed passes between those who are in favour of harmonized guarantees for non-nuclear States and those who are in favour of a more limited approach. Indeed, the representatives of the United States and a number of other countries have expressed the view that, instead of a convention, the Security Council could take note of the assurances of the nuclear Powers. In our opinion, such a view would be inadequate: it would lead, for instance, to a situation where non-nuclear States would be set aside, as it were, from active participation in the international legal formalization of guarantees which are being provided by the nuclear Powers. The States which are to benefit from these guarantees - in other words, the overwhelming majority of States - would be playing a passive role and would thus find themselves outside the framework of the document which lays down the obligations of the nuclear Powers.

Certain representatives have proposed that the different approaches be merged. In essence, this was done by the representatives of Sri Lanka and Pakistan, who were in favour of the Security Council's officially taking note of the assurances of the nuclear Powers, and in the meantime the draft of the convention in question would be elaborated in the multilateral organ for talks on disarmament.

In the course of discussion a question also arose concerning the relationship between the proposed convention and nuclear-free zones and zones of peace. A number of those who spoke, such as the representative of Madagascar, quite justly pointed out that the proposed convention concerning the strengthening of the security of non-nuclear-weapon States would provide assistance or support to non-nuclear-zones. The link, of course, exists, and the adoption of a convention would unquestionably contribute to the strengthening of existing nuclear-free zones and to the establishment of other such zones. But, as we see it, guarantees can be used not only by parties to this or that zone:

(Mr. Shevel, Ukrainian SSR)

there are cases where non-nuclear-weapon States would not form part of such zones but nevertheless might wish to avail themselves of the guarantees under the international convention.

Certain representatives have indicated that they are not quite clear about the circumstances and conditions for the offering of guarantees and that they would wish to make their contribution to the clarification of the formulations in the document. All this indicates that the question of the formalization of the obligations of the nuclear Powers and the participation of other States will require a business-like exchange of views, which should be conducted in the organ for disarmament negotiations - namely the Committee on Disarmament - and, subsequently, at the next session of the General Assembly, which, we hope, will have before it a draft Convention that would have been worked on further. This is the essence of the draft resolution on the question under consideration (A/C.1/33/L.6). The delegation of the Ukrainian SSR supports that draft and calls for its adoption. This would be in keeping with the profound interest which has been demonstrated by the majority of delegations in this further strengthening of guarantees for the security of non-nuclear States by means of the adoption of a convention - an important international legal document which is expected to make its contribution to the strengthening of international security and the cause of peace.

Mr. NGUYEN VAN LUU (Viet Nam) (interpretation from French): The Soviet draft convention touches upon one of the most complex aspects of the nuclear arms question in our time. That is why, before giving our views on it, my delegation would wish to review the over-all situation as it prevails in the international community in the face of nuclear weapons.

Since the creation of the United Nations, history has concentrated nuclear weapons in the hands of five Powers, all permanent members of the Security Council, while all the other members of the international community are non-nuclear States. It would appear that the philosophy underlying the Non-Proliferation Treaty - which was the logical outcome of the Partial Nuclear Test-Ban Treaty of 1963 - was to lead to arms control, and its intent was to establish the strategic status quo, while keeping nuclear weapons from those States capable of disrupting the balance of deterrence between privileged Powers.

(Mr. Nguyen Van Luu, Viet Nam)

In this connexion, the multiplication of nuclear decision centres - horizontal proliferation - was regarded as a major risk, whereas it was possible to live with the quantitative and qualitative arms race between the great Powers - vertical proliferation - provided that the pace was kept under control.

We must stress that in acceding to the Non-Proliferation Treaty the non-nuclear States have thus relinquished a major, if not an essential, part of their sovereignty - namely, their right to natural, legitimate defence with nuclear weapons.

From the legal standpoint, this specific act on the part of sovereign States was almost an anomaly, because it is in total contradiction with the first principle of the United Nations as laid down in the Charter, namely:

"The Organization is based on the principle of the sovereign equality of all its Members."

But what is even more serious is that this relinquishing of the essential part of a State's sovereignty by non-nuclear countries risks affecting their very security as a result of the policy of the imperialists, the sole possible source of aggression and war, and even risks endangering their economic development, in view of the role of nuclear energy in the development of human society in the present stages of technology. All human beings, like all States, must be given guarantees on these two crucial points - security and development - or risk annihilation at any moment.

It would appear that non-nuclear States, by acceding to the Non-Proliferation Treaty, could not fail to understand that this was the case.

(Mr. Nguyen Van Luu, Viet Nam)

Those States demanded as a condition for their accession, first, security guarantees for non-nuclear States living under the constant threat of nuclear aggression; secondly, international co-operation for the development of the peaceful uses of nuclear energy and thirdly, a commitment on the part of the nuclear Powers to proceed to nuclear disarmament.

The final text of the Non-Proliferation Treaty, after five years of negotiation, certainly contains all these pledges of guarantees. But what is the actual state of affairs with regard to those guarantees?

As far as concerns the guarantee of security, Security Council resolution 255 (1968), in its paragraph 2,

"Welcomes the intention expressed" - I emphasize that this intention is expressed unilaterally, so that its mandatory force is considerably diminished - "by certain States ... [to] ... provide or support immediate assistance, in accordance with the Charter, to any non-nuclear-weapon State Party to the Treaty on the Non-Proliferation of Nuclear Weapons that is a victim of an act or an object of a threat of aggression in which nuclear weapons are used."

It must be pointed out that the Security Council is not committed by this to take any specific action in conformity with the provisions of Chapter VII of the Charter should the security of a non-nuclear State be threatened by a nuclear State.

We know that as regards guarantees of economic development through the peaceful uses of nuclear energy, an international control system established by the International Atomic Energy Agency and applicable to peaceful nuclear activities as a whole of States parties to the Non-Proliferation Treaty should guarantee respect for the commitments assumed and prevent - thanks to rapid detection - the diversion of fissionable material to military purposes.

(Mr. Nguyen Van Luu, Viet Nam)

Finally, with respect to the commitment of the nuclear Powers to proceed to disarmament, this is included in article VI of the Non-Proliferation Treaty and the non-nuclear States share it on a footing of equality. Thus, it becomes the common and equal obligation of each of the parties to the treaty. In short, if the complements to accession to the Non-Proliferation Treaty were mediocre, not to say null, from the point of view of security guarantees, on the other hand the non-nuclear States, under the text of the Treaty, obtained every assurance with respect to the development on a non-discriminatory basis of the peaceful uses of atomic energy.

What has been the situation since the signing of the Non-Proliferation Treaty until today? We are bound to note - and this is obvious to everyone - that: firstly, while the non-nuclear States parties to the Non-Proliferation Treaty observe the condition of nuclear disarmament, the nuclear States members of the North Atlantic Treaty Organization (NATO) are constantly speeding up the nuclear arms race and increasing its dimensions.

Secondly, while the non-nuclear States parties to the Non-Proliferation Treaty strictly observe nuclear disarmament, certain countries, originally non-nuclear, have acquired the capacity to manufacture nuclear weapons. In addition, it is precisely those privileged countries which, in recent decades, have violated or threatened peace, security and independence in all areas of the world and have been the object of decisions of the Security Council imposing an embargo on their armaments or enjoining them to withdraw from the territories they have unlawfully occupied since their aggression.

Thirdly, with respect to guarantees for development without discrimination of the peaceful uses of atomic energy, it would appear that the last London agreement of early 1976 between the seven main suppliers leads to a rather constraining system and strict control of essential sectors of peaceful nuclear activities in the buyer countries. In the unanimous view of experts on the subject, on the one hand it is not certain that such methods serve the cause of non-proliferation because it is not by multiplying controls

(Mr. Nguyen Van Luu, Viet Nam)

and organizing the placing under trusteeship of countries beneficiaries of the transfer of nuclear technology that those countries will be deterred from obtaining atomic weapons, all the more so since it is precisely because the nuclear Powers are not subject to guarantees that control over the sale of fissile material for military purposes is not feasible.

On the other hand, the good conduct code adopted in London does not put an end to the commercial competition between producers of nuclear equipment and will not prevent a growing number of countries from having before the end of the century the scientific and technological capacity necessary to equip themselves with a nuclear force.

Over and above these technical considerations, one question arises for the experts. We cannot see on behalf of whom or what certain rich countries seek to prevent others from exercising their right to nuclear Power so long as they themselves do not show through specific disarmament measures, their will to ensure security in the world through the establishment of new bases for that security.

Fourthly, the situation which results from the three points which we have just analysed confronts the non-nuclear States with a real and pressing danger to their own security, and constitutes a weighty obstacle to their economic development in modern times. How, then, can we fail to understand the legitimacy and the necessity of the pressing appeals made here and in other forums by the non-nuclear States, which ask of the nuclear Powers that they live up to their commitment to put an end to the nuclear arms race, and which also request that our Organization institute strict and effective control over certain present war-mongering elements that are in a favourable position to acquire nuclear weapons? All this information concerning the true situation emphasizes three main points relating to the progressive solution of the nuclear disarmament problem.

First, with respect to the non-nuclear Powers there is the imperative need to ensure their security and their development through the peaceful use of nuclear energy. Secondly, with respect to the nuclear Powers, there is

(Mr. Nguyen Van Luu, Viet Nam)

the imperative need to halt the nuclear arms race. Thirdly, with respect to those initially non-nuclear countries which have brazenly violated or threatened the peace, security and independence of their region and have been the object of Security Council decisions imposing an arms embargo upon them, or calling for their withdrawal from territories they have occupied illegally since their aggression, strict and effective control by the international community is needed. These three requirements are closely interlinked. Both nuclear and non-nuclear States have the same rights, and the same obligations with respect to them.

(Mr. Nguyen Van Luu, Viet Nam)

Bearing in mind those realities of the existing situation with respect to nuclear weapons, the policy of our Government in the nuclear field has been established as follows.

Following a progressive course leading to general and complete disarmament, we strongly condemn two political trends. The first is that of a privileged nuclear State that reserves the right to carry on the nuclear arms race, thus threatening the peace, security and independence of peoples while tying the hands of non-nuclear States and preventing them from exercising their right to nuclear defence and their right to use nuclear energy for peaceful purposes. The second is that of another nuclear State which, though not among the privileged, exploits the difference between nuclear and non-nuclear States to oppose any measure to limit nuclear weapons, and to pursue the nuclear arms so as to catch up with and even to overtake the privileged nuclear States - all the more so since that country is about to plunge the world into a third world war.

On the other hand, we applaud any initiative aimed at strengthening guarantees for the non-nuclear States, both security guarantees and guarantees for the development of nuclear energy for peaceful uses; any initiative aimed at limiting and halting the nuclear arms race, and first and foremost the one taken by the members of the Security Council - and here we are referring to both vertical and horizontal proliferation; any initiative aimed at effectively and closely controlling those non-nuclear countries that have committed acts which have threatened peace and security in their regions, which have already been the object of sanctions or weapons embargoes by the Security Council or the object of Security Council resolutions enjoining them to withdraw their troops from territories they have occupied unlawfully since their aggressions.

From this point of view my delegation is gratified at the initiative taken by the Government of the Soviet Union with a view to conclusion of an international convention on the strengthening of guarantees of the security of non-nuclear States. This is one of the most constructive and auspicious responses to the concern voiced by many non-nuclear States with regard to their own security. This concern is expressed in paragraph 59 of the Final Document of the first special session of the General Assembly devoted to disarmament, according to which:

(Mr. Nguyen Van Luu, Viet Nam)

"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."

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

As opposed to unilateral declarations of any kind by the nuclear Powers, which would become almost illusory if accompanied by conditions, an international convention would further bind the nuclear Powers and further compel them to comply with their obligation not to attack or threaten to attack non-nuclear States with nuclear weapons.

In order to give a clearer idea of all the facts relating to the true situation surrounding nuclear weapons that we have attempted to explain in the first part of this statement, and in order to show the full value of the Soviet initiative, we wish to propose the following amendments to the Soviet draft convention.

The first amendment concerns Article I. It would further emphasize the principle of equality between nuclear and non-nuclear States in respect of guarantees of security, and would read:

"The nuclear-weapon States Parties to this Convention undertake not to use or threaten to use nuclear weapons against non-nuclear States Parties to the Convention."

We would propose the addition of the following three clauses in an appropriate place in the Convention:

1. "The Convention shall enter into force on the date of its signature by nuclear States permanent members of the Security Council";
2. "In the event of aggression upon a non-nuclear State by a nuclear State the Security Council, in particular its permanent members, shall defend the attacked non-nuclear State pursuant to chapter VII of the Charter";
3. "All parties to the Convention, both nuclear and non-nuclear States, undertake to work untiringly to limit and halt the arms race, and first and foremost that between the permanent members of the Security Council (vertical as well as horizontal non-proliferation), this being the first step towards nuclear disarmament; and to closely control those non-nuclear States that have committed acts threatening peace and security in their region, and which have already been the objects of embargoes and weapons sanctions by the Security Council or the object of decisions of the Security Council requesting them to withdraw their troops from territories they have occupied illegally since their aggression."

(Mr. Nguyen Van Luu, Viet Nam)

Those three clauses are self-explanatory if account is taken of what we said earlier and the close relationship existing between all the views we have presented.

Our Vice Premier, the Minister for Foreign Affairs, in his statement to the plenary on 4 October 1978, stated:

"For many generations now the maintenance of peace has been the primary concern of the people of the world, because peace is related to the vital interests and the rate of development of all nations. Life today has further strengthened our confidence in the possibility of preventing a new world war and preserving lasting peace on our planet. ...

"... Nowadays, however, through their multifaceted struggle and with the combined strength of the forces of socialism, national independence, democracy and peace, the people of the world are more capable than ever before of defending peace and defeating every dark scheme of the warmongers."
(A.33/PV.21, pp. 26 and 27)

(Mr. Nguyen Van Luu, Viet Nam)

Thus we are confident that the imperative need to safeguard the life and development of its peoples, which are what dialectically govern world peace, will of itself help the international community in its constant and vigilant effort to solve the nuclear-weapon question by the most appropriate means.

We hope that with sound and good political will on all sides the Committee on Disarmament, to which under the terms of draft resolution A/C.1/33/L.6, which we support, the work to be done would be transmitted, will take into account all the observations and proposals which have been made in this Committee during the consideration of this question in order to draw up the text of an international convention which will ensure the strengthening of the security guarantees of non-nuclear States that is an essential part of general international security.

Mr. SAHADEO (Guyana): General Assembly resolution S-10/2 of 13 July 1978, by which the Assembly adopted the Final Document of the tenth special session, devoted to disarmament, invites all States, in particular nuclear-weapon States, to consider proposals designed to secure the avoidance of the use of nuclear weapons, the prevention of nuclear war, and related objectives, where possible through international agreement, and thereby to ensure that the survival of mankind is not endangered. As part of this injunction, nuclear-weapon States are called upon to take steps to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons and to pursue efforts to conclude effective arrangements to assure non-nuclear-weapon States against the same.

According to the Final Document, these measures form part of the achievement of the objectives of securing nuclear disarmament and the complete elimination of nuclear weapons, which will lead to conventional disarmament on a world-wide basis. The responsibilities of the nuclear-weapon States in these endeavours have been clearly defined and those States are enjoined to undertake specific measures aimed at preventing the outbreak of nuclear war and the use of force in international relations, subject to the provisions of the Charter of the United Nations.

(Mr. Sahadeo, Guyana)

The Guyana delegation considers it significant that the Final Document places special emphasis on United Nations Charter provisions for the maintenance of international peace and security and on the principles governing disarmament and the regulation of armaments. The Guyana delegation considers it of particular significance that a nuclear-weapon State has taken the initiative just three months after the adoption of the Final Document and has submitted proposals on the security of non-nuclear-weapon States against the use or threat of use of nuclear weapons. The Guyana delegation welcomes the initiative and zeal of the delegation of the Soviet Union in thus complying with the request of the General Assembly in a spirit of co-operation.

We are dealing today with a topic of concern not only to an overwhelmingly large majority of Member States of the United Nations system but to all States, large and small, nuclear and non-nuclear. Security is an ideal not only of the insecure and unarmed States but also of the heavily armed and nuclear-weapon States. Basic insecurity is one of the factors which propel the latter States to seek deterrent capability and weapon superiority. The Final Document, therefore, correctly specifies that only through international agreement can the survival of mankind be assured. This task cannot be left to individual States.

This is not the first occasion on which the international community has dealt with the humanitarian aspects of the laws of war. The Declaration of St. Petersburg of 1868 proclaimed that the employment of arms which uselessly aggravate the sufferings of disabled men or render their death inevitable would be contrary to the laws of humanity. The Hague Declaration IV.3 of July 1899 prohibited the use of expanding bullets which flatten easily in the human body. The Hague Convention of 1907 stated that the right of belligerents to adopt means of injuring the enemy is not unlimited and it prohibited the employment of arms, projectiles or material calculated to cause unnecessary suffering and the use of poison or poisoned weapons, and so forth. The Geneva Protocol of 1925 prohibited the use of asphyxiating, poisonous or other gases, and so forth, and the use of bacteriological methods of warfare.

(Mr. Sahadeo, Guyana)

Similar codes of conduct in war were provided in subsequent international treaties up to the two Geneva Protocols of 1977. So far, however, no prohibition has been applied to weapons which are excessively injurious or have indiscriminate effects, such as nuclear weapons or weapons of mass destruction.

The Soviet draft proposals and those of Pakistan, made later in the course of this debate, both of course subject to negotiation, would make up for this deficiency. Under these proposals nuclear-weapon States are not asked to surrender their hard-won achievements in nuclear-weapon technology, but are asked to pledge themselves not to use or threaten to use nuclear weapons on certain conditions. The Guyana delegation considers that this is not the appropriate time for this Committee to consider the conditions on which non-nuclear-weapon States should be covered under the proposed guarantees. This matter could first be studied by the Committee on Disarmament in Geneva, which should make recommendations to the United Nations General Assembly at its thirty-fourth session. The present proposals would, however, not affect the nuclear superiority of nuclear-weapon Powers, which will maintain their monopoly of nuclear weapons.

I should like, however, to make one observation on the proposal in the Soviet draft. On the question of secession from the treaty, the Guyana delegation considers that no formal provision should be made in the convention for such withdrawal. Because of the nature of the subject under consideration, such withdrawals could only defeat the objective of complete and total disarmament. Any State wishing to opt out of the proposed convention must face the consequences in the international field of such a decision. There should be no higher interest for any State than the supreme one of the survival of mankind on this planet. Instead, the Guyana delegation suggests that provision should be made in article IV of the draft proposal for member States to induce other States to accede to the convention.

In conclusion, the Guyana delegation envisages that the success of the proposed convention on security guarantees for non-nuclear-weapon States should lead to the transfer of the subject of the use or threat of use of nuclear weapons from the plane where it is a matter of unfettered national liberty to that of being subject to contractual obligations in accordance with the provisions of the United Nations Charter, and ultimately to the plane of complete disarmament.

Mr. FREEMAN-GREENE (New Zealand): My delegation considers that countries that have renounced the nuclear weapon option are entirely justified in seeking credible assurances that nuclear weapons will not be used against them or their use threatened. The demand of non-nuclear-weapon States for strengthened guarantees in which they can place their full trust is a valid and a pressing one. If both our disarmament and our non-proliferation goals are to be met, it is a demand that needs to be answered constructively.

(Mr. Freeman-Greene, New Zealand)

At the special session of the General Assembly devoted to disarmament Minister for Foreign Affairs welcomed the serious consideration then being given to this question by nuclear-weapon States and the commitments they publicly assumed during that session. We see those statements, and that made since then, as a considerable step forward in the effort to devise assurances at once acceptable to the nuclear-weapon States and valuable to non-nuclear-weapon countries. We do not believe, however, that the assurances given to date are necessarily the end of the road. We think an attempt should be made to enhance their status and to endeavour to achieve an agreed formulation on binding guarantees to all non-nuclear-weapon States. That, in our view, is the meaning of paragraph 59 of the Final Document, where it urges the nuclear-weapon States: "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". (resolution S-10/2, para. 59)

In the sense, therefore, that it elaborates on a goal to which all of us subscribed at the special session, the Soviet proposal before us is a timely one.

That said, we are not convinced that the draft resolution and convention contained in document A/C.1/33/L.6 offers the best way forward. Its terms do not, in our view, accord with the wording of paragraph 29 of the Final Document, which speaks of the need:

"to ensure that no individual State or group of States may obtain advantages over others at any stage." (ibid. para. 29)

That is at any stage of the disarmament process.

My delegation therefore has a number of problems with the draft contained in document A/C.1/33/L.6. To resolve these problems, we should prefer to see the whole issue, including all the proposals made here whether in written form or by way of comments, opinions or suggestions in this debate, referred to the Committee on Disarmament for examination and detailed study. Such reference should not prejudice that Committee's decision on the way assurances should ultimately be expressed or the instruments in which they might be embodied. The issues raised by this

(Mr. Freeman-Greene, New Zealand)

item are complex and their implications both intricate and serious. We shall not advance our purpose by accepting or endorsing here resolutions that may be partial in their effect and that may, with some justification, be viewed by other States as undermining their existing security arrangements.

Mr. ADENIJI (Nigeria): The importance of the item under discussion is underlined by the seriousness with which the international community takes the issue of nuclear weapons. In the Final Document of the special session devoted to disarmament the General Assembly declared that nuclear weapons posed the greatest danger to mankind and to the survival of civilization. It concluded, therefore, that among disarmament measures effective measures of nuclear disarmament and the prevention of nuclear war had the highest priority. The Assembly went on to state:

"To this end, it is imperative 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." (resolution S-10/2, para. 20).

My delegation believes that while the international community is seeking the modalities for grappling with negotiations on disarmament steps can be taken to minimise the danger of the use of nuclear weapons. That does not imply that we approve the continued existence of those weapons; on the contrary, it is one of the steps that we hope will ultimately make more ridiculous the continued stockpiling of weapons that will not be used.

The Soviet delegation deserves our gratitude for proposing this item and for taking up so soon a challenge thrown down by the General Assembly at the special session when it urged the nuclear-weapon States to pursue efforts to conclude effective arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons. We see the Soviet initiative as a modest contribution to the process of giving reassurance to non-nuclear-weapon States that they will not be the victims of the use or threat of use of nuclear weapons.

(Mr. Adeniji, Nigeria)

Both the nuclear-weapon States and the non-nuclear-weapon States have a great interest in the elaboration of an instrument providing legally binding guarantees to non-nuclear-weapon States against nuclear-weapon attack. The nuclear-weapon States, which have been great advocates of the non-proliferation of nuclear weapons, should recognize that one factor that may promote nuclear-weapon proliferation is the constant fear of non-nuclear-weapon States that they may be subjected to nuclear attack. Being a party to the Treaty on the Non-Proliferation of Nuclear Weapons is in fact no guarantee of safety. That Treaty commits non-nuclear-weapon States to renunciation of the acquisition of nuclear weapons in return for the progressive reduction of nuclear stockpiles and eventual total nuclear disarmament by the nuclear-weapon States.

Ten years after the conclusion of the Treaty we all know that the process of nuclear disarmament has hardly commenced. If Security Council resolution 255 (1968) was presumed to be a step in the direction of giving assurance to non-nuclear-weapon States parties to the Non-Proliferation Treaty, it was a prescription of medicine after death. It promises succour after a nuclear-weapon attack, when such succour would come too late.

At the Non-Proliferation Treaty Review Conference in 1975 efforts to promote an additional protocol that would commit nuclear-weapon States parties to the Treaty never and in no circumstances to use or threaten to use nuclear weapons against non-nuclear-weapon States parties to the Treaty were thwarted. Equally thwarted was the draft resolution sponsored by the delegations of Ghana, Nepal, Romania and Yugoslavia and by my own delegation, the intention of which was to ensure that non-nuclear-weapon States parties to the Treaty would not allow the use or threat of use of nuclear weapons deployed in their territories against other non-nuclear-weapon States parties to the Treaty.

The atmosphere created by the special session of the General Assembly devoted to disarmament was conducive to unilateral declarations by the nuclear-weapon States giving assurances to non-nuclear-weapon States. It is a mark of the legal inadequacy of those declarations that the special session, while taking note of the declarations, urged the nuclear-weapon

(Mr. Adeniji, Nigeria)

States to conclude effective arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons. The proposal of the Soviet Union is a right step in the direction the special session envisaged. We think a convention would be preferable to the alternative that has been suggested.

(Mr. Adeniji, Nigeria)

My delegation stands ready to participate in the elaboration of such a convention in the Committee on Disarmament. Meanwhile, we should like to make a few preliminary comments.

The first point concerns the title of the proposed convention, which, in the Soviet draft text, is given as "Draft international convention on the strengthening of guarantees of the security of non-nuclear States". The non-nuclear-weapon States want not only the strengthening of the guarantees of their security but also their security guaranteed. We believe that the statement of Foreign Minister Gromyko on 26 May 1978, when he said:

"... the Soviet Union will never use nuclear weapons against those States which renounce the production and acquisition of nuclear weapons and do not have them on their territories", (A/S-10/PV.5, pp. 28-30) is more in line with guaranteeing the non-use of nuclear weapons on non-nuclear-weapon States rather than strengthening the guarantees of their security.

We therefore think that a more direct title, like "Draft international convention on the guarantee of non-use of nuclear weapons on non-nuclear-weapon States", would be less ambiguous.

Secondly, my delegation thinks that a distinction should be made between non-nuclear-weapon States and non-nuclear States. The guarantee should be, in our view, to all non-nuclear-weapon States.

Thirdly, we believe that the convention should contain a provision whereby non-nuclear-weapon States parties to it would, by virtue of so doing, have renounced the production and acquisition of nuclear weapons.

Fourthly, the convention should, in its preambular part, indicate clearly the ultimate goal to which the convention is contributory, which is the total destruction of the nuclear arsenals of nuclear-weapon States.

While my delegation agrees that a more far-reaching first step, which is the total prohibition of nuclear war, would have been preferable, we nevertheless believe that a convention on the non-use of nuclear weapons against non-nuclear-weapon States will contribute to the security of non-nuclear-weapon States.

Mr. URQUIA (El Salvador) (interpretation from Spanish): El Salvador's contribution to the current debate will not be extensive for we would not wish to reiterate concepts and views that have already been put forward for many years in the First Committee and other international forums with respect to the various aspects of disarmament.

This debate is to consider the specific proposal of the Union of Soviet Socialist Republics concerning the conclusion of an international convention on the strengthening of guarantees of the security of non-nuclear States (document A/C.1/33/L.6). That document contains a draft resolution to which is annexed a draft convention on the subject.

Of course, we think that the idea of strengthening guarantees of the security of non-nuclear States is appropriate and we therefore welcome it.

The non-nuclear-weapon countries - the overwhelming majority of the Members of the United Nations - are at the mercy of a small group of countries which not only possess these weapons but also invest enormous sums in perfecting them, in inventing new ones and in constantly increasing their arsenals.

Unless we are mistaken, during the tenth special session of the General Assembly, devoted to disarmament, it was stated that the two super-Powers alone had sufficient nuclear weapons to destroy the world not once but four times over, if that were possible.

The danger that such an accumulation of means of mass destruction represents leads us to think that it is necessary and urgent not only to reverse the arms race in that field but also to strive even further to prevent the proliferation, invention and development of nuclear weapons and, eventually, to arrive at the elimination or total destruction of such weapons at present in the possession of a few Powers.

Only thus would the world be free of this nightmare.

The consequences of a nuclear war would clearly be fatal for mankind, and that is why we welcome any initiative and effort aimed at preventing the use of such weapons not only against non-nuclear States but also among the Powers of the small club which up to now has monopolized such weapons.

(Mr. Urquía, El Salvador)

The use of such weapons is only conceivable among the Powers already possessing them or about to acquire them. Their use against non-nuclear States seems to us to be a rather remote possibility, although one that cannot be discarded entirely. Apart from what is known in criminal law as abuse of superiority, such use would represent something even worse: a barbarous attack by the strong against the weak, a true monstrosity.

Now, in the case of conflict between nuclear States, the situation would be somewhat different.

It is stated in one of the draft resolutions already submitted in the First Committee (A/C.1/33/L.2) that the use of nuclear weapons will be a crime against humanity. With the use of the verbal form "will be", we are given to understand - although we are sure that this was not intended - that this is something that is going to happen. In a document on disarmament, it would be better to use the conditional "would be" in order to show that it is not expected to happen.

But there is more. The absolute assertion that the use of such weapons will be a crime against humanity appears to us excessive. Everything depends on how and when those weapons would be used. The one committing a crime against humanity would, in our view, be the first State to resort to this means of destruction, whether it is the aggressor or the victim of aggression. A State legitimately defending itself against aggression or attack with such weapons would be authorized under international law to use them as well. As for legitimate defence, in the doctrine of criminal law the reasonable need for the means employed in self-defence is postulated as one of the requirements for exemption of responsibility. And is it not reasonable that a State under nuclear attack could be forgiven for resorting to the use of nuclear weapons itself in order not to perish at the hands of the adversary?

The draft resolution we are considering under agenda item 128 appears to us acceptable in general.

(Mr. Urquía, El Salvador)

The hub of the proposal is obviously to be found in article I of the draft convention. That article seeks to establish mutual obligations between nuclear and non-nuclear States - mutual obligations reciprocally conditioned: nuclear States would undertake not to use their weapons of this type against other States, provided that those States, in turn, undertook not to manufacture them, acquire them or allow their emplacement on their territories or anywhere under their jurisdiction or control, be it on land, in the sea, in the air or in outer space. The nuclear States would undertake also not to threaten the non-nuclear States with the use of nuclear weapons, in the same conditions I have outlined.

That is but a first step. As a working paper the draft convention would be referred to the Committee on Disarmament for the relevant negotiations, and the General Assembly would subsequently be informed of the results.

All of this appears to us to be very sound, within the context of the Declaration and the Plan of Action adopted by the General Assembly at its tenth special session.

Mr. FUENTES IBÁÑEZ (Bolivia) (interpretation from Spanish): Mr. Chairman, I do not wish to contravene the rules or not abide by your wishes, but I believe that as this is my first statement I am not in the wrong if I congratulate my colleagues on their wisdom in electing you to preside over us. May I assure you of my delegation's firm determination to co-operate with you and with the Vice-Chairmen and Rapporteur for the sake of the success of our common undertaking.

The Soviet Union's concern about a more rational lessening of the risk of nuclear war is understandable. Latin American participation in this field has always been very active; in fact, Latin America has supported every initiative seeking to keep vast areas of the known universe free of nuclear weapons.

We might mention here the outstanding participation of Mexico in the 18-nation Committee on Disarmament, which, as far back as 1963, prompted the General Assembly to adopt by acclamation a resolution urging all States to refrain from placing in earth orbit any object carrying nuclear weapons or other kinds of weapons of mass destruction, from emplacing such weapons on celestial bodies or, in any other way, in outer space.

(Mr. Fuentes Ibañez, Bolivia)

Ten years ago we were successful in putting a stop to any attempt to turn outer space or Antarctica into military nuclear testing ranges. But nothing was done to protect the densely populated areas of our world from the risk of nuclear war. A Brazilian initiative which was put forward in 1962 and endorsed a year later by the Presidents of Bolivia, Brazil, Chile, Ecuador and Mexico provided for the creation in November 1964 of a preparatory committee which four years later produced a Treaty on denuclearization whereby the parties undertook to refrain from carrying out, promoting or, directly or indirectly, authorizing the testing, use, manufacture, production, possession or acquisition of any nuclear weapon, or the acquisition, stockpiling or possession in any other way of any nuclear weapon, directly or indirectly, by themselves, by mandate of third-parties or in any other way.

The Tlatelolco Treaty was the first instrument drawn up expressly to preserve a vast, densely-populated area of the globe from the risks of nuclear war. It was the first of its kind and, as such, an important instrument. It was a voluntary act of renunciation motivated by a true desire for peace. It was a breath of new life in the attitude it represented towards a world which was trying to maintain security by the threat of force; it was also a token of faith in the right to live in freedom and without fear within one's own region.

The Tlatelolco Treaty is noteworthy because the draft convention before us in some of its aspects coincides with Protocol II of that Treaty, whereby the nuclear Powers which subscribed to it undertake to respect the military denuclearization of Latin America since they undertake not to use or threaten to use nuclear weapons against any of the parties to the Tlatelolco Treaty.

The Soviet draft contains other features which are closely linked with the pragmatic realism of the present day. To all the various trenchant forms of discrimination besetting the international community we must add the abysmal difference separating those countries which base their security on thousands of nuclear missiles from those of us who have not yet gone beyond the level of conventional weapons, and who in many cases are as powerless before the large and powerful countreis as was the young Inca or Aztec child before the armed warrior on horseback, or the skilled cannoneer in the face of

(Mr. Fuentes Ibañez, Bolivia)

the mounted armed warrior, or the skilled cannoneer in the face of rockets guided by invisible computers.

The letter of the Foreign Minister of the Soviet Union, Mr. Gromyko, contains undeniable assertions, all of which have been stated quite frankly. What country without resources to spend on weapons would refuse to accede to an agreement whereby the nuclear States would give the non-nuclear States international guarantees that they would not use nuclear weapons against them as a means of deterrence or intimidation?

The Soviet statement to that effect, formulated at the tenth special session, is very positive, but seems to be lacking the necessary will gradually to reduce research in and the testing of ever-more sophisticated and costly nuclear weapons. Indeed, we would seem to be running the risk of widening even further the gap between nuclear and non-nuclear States. This between countries with the capacity for mass destruction, on the one hand, and countries not possessing such power, which are thus defenceless, is an abysmal difference which in the long run, mutatis mutandis, could lead to a kind of tacit subordination and, even worse, to a new form of colonialism and dependence.

(Mr. Fuentes Ibañez, Bolivia)

If there is no parallel action to denuclearization, the ultimate objective of which is general and complete disarmament which would be binding for all and not only for the less powerful, we run the risk of one day, should some Machiavellian Power change the balance of power, finding that the peace-loving States which accept in good faith the instruments such as the one now proposed to us, will become the victims of a new system of oppression and slavery unparalleled in history. There could be a return to the more dramatic and dark ages of mankind. We could even arrive at the deification of atomic power and the neutron bomb, the kind of idolatry of those peoples that made gods of fabulous beings which incarnated force as the main motive power of the world. In the face of this destructive power man could venerate an atomic man or an atomic ray just as the ancients venerated Jupiter's darts, or adored the god Mars.

My delegation does not wish to leave an impression of pessimism. We believe a proposal such as this seeks to be more than a provisional, transitory measure or simple propaganda. We are seeking to reach an agreement, a kind of gentleman's agreement such as that which governs boxing and which establishes different categories for the contenders, depending on their weight. We would have to make an addition to the proposal of the Union of Soviet Socialist Republics, an additional clause whereby nuclear States would not sell their nuclear surpluses to non-nuclear States. Thus, non-nuclear States would not only be free of the threat of superior forces capable of annihilating them, but also would be free of those other risks fomented from outside which prevent them from living in peace and devoting their best efforts to tasks more noble and constructive than the acquisition of weapons. We want a categorization which starts from the atomic power and is in a descending scale. This is more than just a desire.

In order not to further tax your patience, Mr. Chairman, and that of the members of the Committee, I shall now make some brief comments on the draft convention.

(Mr. Fuentes Ibañez, Bolivia)

With respect to article I my delegation assumes that the possession by non-nuclear States of weapons on their territory means they have consented to that emplacement. It would be difficult to detect the existence of an atomic device placed surreptitiously or by means outside the will of that State in its outer space, or in its maritime space, or in an area under its jurisdiction.

Article III, on the consultation machinery is, as has been stated by other delegations, rather ambiguous. We do not see in the text any provision concerning a competent body which would emerge from the convention itself. In fact, it would be better if this function were to be delegated - not only for purposes of consultation but also for arbitration, investigation, good offices and mediation if necessary - to a juridical body with sufficient technology and scientific capacity to determine the facts and provide adequate measures.

Article IV (2) lays down a mandatory clause concerning the "exceptional circumstances" which, in the opinion of the denouncing Power, have "placed its higher interests in jeopardy". This is not in keeping with the need for a sovereign act or will to renounce or ratify an international instrument. It is assumed that in both cases a State acts in the exercise of its legitimate interests, and there is no need for justification.

Apart from these remarks, which relate to form and not substance, my delegation wishes only to thank the delegation of the Union of Soviet Socialist Republics for bringing before the Committee initiatives that strengthen the spirit of peace of our Organization and the hope that we shall live in a world of freedom and justice, without fear. In conclusion, I wish to state that the remarks I have made are no more than preliminary comments. The final views of my Government on the draft convention will be given in due course. However, this statement does represent my delegation's approval of the draft resolution we are considering, and expresses our intent to support it.

Mr. MADADHA (Jordan): This statement does not concern the draft convention, but merely has to do with the Arabic translation. We have noticed that in the Arabic translation of the documents of this Committee there is a slight ambiguity created by giving almost the same title to both the Committee on Disarmament and the Disarmament Commission. I would like to propose that the Secretariat use the Arabic term Hayet nazeḥ elsilah for Disarmament Commission to distinguish it from the Committee on Disarmament, which in Arabic is Lagnit nazeḥ elsilah.

The CHAIRMAN: I am sure the Secretariat will take note of the remarks of the representative of Jordan.

There are a number of additional sponsors of draft resolutions. They are: draft resolution A/C.1/33/L.4, Czechoslovakia; draft resolution A/C.1/33/L.5, Ghana; draft resolution A/C.1/33/L.7, Colombia and Ghana; draft resolution A/C.1/33/L.9, Colombia; and draft resolution A/C.1/33/L.10, Colombia.

The meeting rose at 5 p.m.