UNITED NATIONS

General Assembly

FORTY-FIFTH SESSION

Official Records

FIRST COMMITTEE
34th meeting
held on
Monday, 12 November 1990
at 10.30 a.m.
New York

VERBATIM RECORD OF THE 34th MEETING

Chairman: Mr. **RANA** **(Nepal)**

CONTENTS

Distr. GENERAL
A/C. 1/45/PV.34
3 December 1990
ENGLISH

90-63208 2810V **(E)**

The meeting was called to order at 11 a.m.

AGENDA ITEMS 45 TO 66 AND 155 (continued)

CONSIDERATION OF AND ACTION ON DRAFT RESOLUTIONS

The CHAIRMAN: I informed delegations on Friday that this morning the Committee would first take a deeision on draft resolution A/C.1/45/L.44, and subsequently would take action on draft resolutions contained in cluster 4 - namely, A/C.1/45/L.11, A/C.1/45/L.16, A/C.1/45/L.27/Rev.1, and A/C.1/45/L.40. Action on draft resolution A/C.1/45/L.38 in cluster 4 has been deferred to a later stage. However, I have been approached by the sponsors of draft resolutions A/C.1/45/L.11 and A/C.1/45/L.40 with a request that consideration of those drafts be postponed in order to allow for further consultations among interested delegations.

After completing action on those draft resolutions, the Committee will move on to take action on the draft resolutions listed in cluster 5 - namely, resolutions A/C.1/45/L.7, A/C.1/45/L.14, A/C.1/45/L.23, A/C.1/45/L.25 and A/C.1/45/L.33. As I have informed the Committee, action on the remaining draft resolutions in that cluster - *namely,* A/C.1/45/L.5, A/C.1/45/L.35 and A/C.1/45/L.43 has been deferred to a later stage.

I now call on the Secretary of the Committee.

Mr. KHERADI (Secretary of the Committee): I should like to inform the Committee that the following countries have become sponsors of the following draft resolutions: A/C.1/45/L.44: Benin and Hungary; L.51: Cameroon, Canada, Colombia, Costa Rica, Djibouti, Guinea, Madagascar, Mauritania, Norway, Poland, Samoa, Saudi Arabia, Senegal, Somalia, Swaziland and Turkey; L.41: Hungary; L.43: Hungary; and L.44: New Zealand.

The CHAIRMAN: I call on the representative of Poland, who will introduce draft resolution A/C.1/45/L.21/Rev.1.

Mr. DANLAMI (Poland): I have the honour of introducing draft resolution A/C.1/45/L.21/Rev.1, entitled "Chemical and bacteriological (biological) weapons". In addition to Canada and Poland, the following 41 Member States are also sponsors: Afghanistan, Argentina, Australia, Austria, Belgium, Bolivia, Brasil, Bulgaria, the Byelorussian Soviet Socialist Republic, Costa Rica, Czechoslovakia, Denmark, Finland, France, Germany, Greece, Hungary, Iceland, India, Ireland, Italy, Japan, Malaysia, Mongolia, Myanmar, the Netherlands, New Zealand, Norway, the Philippines, Portugal, Romania, Spain, Suriname, Sweden, Turkey, the Ukrainian Soviet Socialist Republic, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, the United States of America, Uruguay and Viet Nam.

As has been the case with similar draft resolutions, the object of this draft resolution is to record major developments relevant to its subject-matter that have taken place since the last session of the General Assembly, in particular those related to the negotiations on a chemical weapons convention in the Conference on Disarmament, and to express the determination of Member States to conclude as expeditiously as possible, and subsequently to implement, a global, comprehensive and verifiable convention eliminating chemical weapons once and for all from the face of the Earth.

For years the draft resolution on this subject has enjoyed the unanimous support of Member States. The sponsors believe that this support will continue, since adoption of the presert draft resolution by consensus would be an important indication of the deep concern shared by Member States over the existence of chemical weapons and, as demonstrated recently, the *growing* danger of their use. At the same time, it will send a strong message to the Conference on Disarmament about the urgent need to complete its work on the convention.

(Mr. Pawlak, Poland)

The draft resolution is essentially based on last year's resolution 44/115 A, which was adopted by consensus. However , the authors and sponsors bave made a number of modifications reflecting, inter alia, significant developments which have taken place over the past year. We have also introduced some changes in several paragraphs to make the draft resolution more dynamic and forward-looking.

For those reasons, in general, we have modified and updated the second, fifth and seventh preambular paragraphs. The new third preambular paragraph replaces the previous preambular paragraphs referring to the Paris Conference.

Believing that the growing participation by observer States can significantly contribute to the attainment of universal accession to the convention, we have accordingly modified the seventh preambular paragraph.

The new tenth preambular paragraph addresses the recent Soviet-American agreement on ceasing the production, and beginning the destruction, of their chemical-weapon stockpiles.

The new twelfth preambular paragraph expresses appreciation to States which have declared their intention to be among the original signatories to the convention.

We have added a new operative paragraph 1, which reflects the desirability in the current political situation of renewing the call upon States both to observe the 1925 Geneva Protocol and to abide by the Final Declaration of the Paris Conference.

Operative paragraphs 2 and 3 have been modified to reflect the degree of progress achieved by the Conference on Disarmament in its last negotiating session, which many members found less than fully satisafactory.

Operative paragraph 4 has been modified to strengthen the draft resolution and make it more dynamic. It is now clearer and cleaner in its call for the Conference on Disarmament to take action expeditiously.

(Mr. Pawlak, Poland)

Operative paragraph 6 has been amplified further to stress the importance of declarations made by States on whether or not they possess chemical weapons and of further international exchanges of data and other relevant information in connection with the negotiations on the convention.

Operative paragraph 7 has been made clearer, and is supplemented by new operative paragraph 8, which invites all States to make every effort to ensure the early entry into force and effective implementation of a future convention. New operative paragraph 9 is self-explanatory.

The draft resolution is the result of very intensive and broad consultations among many delegations, all of which have demonstrated a commendable spirit of co-operation and goodwill, as well as a spirit of compromise. In this connection, I take this opportunity to express my delegation's sincere gratitude to the delegation of Canada, which has co-operated with us very closely on the draft resolution. I should also like, on behalf of our two delegations, to express our great appreciation to all the sponsors, as well as to other delegations which actively participated in the negotiations, for their valuable contribution to the elaboration of this draft resolution.

The spirit of co-operation prevailing during the negotiations allows us to believe that it will be the wish of Member States to adopt draft resolution A/C.1/45/L.21/Rev.1 by consensus. If so, the Organization will firmly demonstrate its commitment to freeing the world of these utterly repugnant weapons of mass destruction. Moreover, I am convinced that it will also contribute greatly to accelerating the work of the Conference on Disarmament on a convention on chemical weapons.

Mr. MORRIS (Australia): I have the honour to introduce draft resolution A/C.1/45/L.52, entitled "Chemical and bacteriological (biological) weapons: measures to uphold the authority of the 1925 Geneva Protocol".

The following Member States have joined Australia in sponsoring the draft resolution: Antigua and Barbuda, Austria, Bahamas, Belgium, Bulgaria, Cameroon, Canada, Chile, Colombia, Costa Rica, the Czech and Slovak Federal Republic, Denmark, Ecuador, Fiji, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Luxembourg, the Netherlands, New Zealand, Norway, Papua New Guinea, Peru, the Philippines, Poland, Portugal, Samoa, Spain, Sweden, Thailand, Turkey, the Union of Soviet Socialist Republics, the United Kingdom, the United States of America, Viet Nam, Yugoslavia and Zaire.

Last year Australia introduced draft resolution A/C.1/44/L.47/Rev.1, on measures to uphold the authority of the 1925 Geneva Protocol and to support the conclusion of a chemical weapons convention, That draft resolution, which was subsequently adopted by consensus as resolution 44/115 B. built upon two previous consensus resolutions, resolutions 43/74 A and 42/37 C, which reflected in the strongest terms the international commitment to the 1925 Protocol and to the early conclusion of a comprehensive and effective chemical weapons convention. They also built on that commitment in a practical way by requesting the Secretary-General to develop, with the assistance of a group of qualified experts, technical guidelines and procedures for the timely and efficient investigation of reports of the possible use of chemical and bacteriological (biological) or toxin weapons.

The sponsors of resolution 44/115 B believed that it was important and appropriate that the international community, through the United Nations, and especially in the light of the clear and significant political commitments made at

(Mr. Morris, Australia)

the Paris Conference in January 1989, should follow up by making its own declaration through another resolution in the General Assembly, to demonstrate once and for all its common objective of ensuring that chemical weapons are never used again.

It is with growing alarm, therefore, that we note that the risk of chemical weapons use seems to be escalating, despite those firm international legal and Political commitments not to use them.

Accordingly, in the second preambular pargraph of draft resolution L.52 the Assembly would reaffirm resolution 44/115 B as a whole. In the fourth preambular paragraph, it would deplore without equivocation the use and threat of use of chemical weapons. Accordingly it would condemn vigorously, in operative paragraph 1, all actions that violate or threaten to violate obligations assumed under the 1925 Geneva Protocol and other relevant provisions of international law.

In focusing on use and the threat of use, the Assembly, in operative paragraph 2, would renew its call to all States to observe strictly the principles and objectives of the 1925 Geneva Protocol.

In operative paragraph 3 it would complete the task set out in operative paragraph 5 of resolution 42/37 C by endorsing the proposals of the group of qualified experts established in pursuance of that resolution concerning technical guidelines and procedures to guide the Secretary-General in the conduct of the investigation of reports of the use of chemical and bacteriological (biological) or toxin weapons.

(Mr. Morris, Australia)

Finally, and again in connection with chemical weapons use, under the draft resolution the Assembly would take note of the continuing significance of the Security Council decision to consider immediately, taking into account the Secretary-General's investigations, appropriate and effective measures in accordance with the Charter of the United Nations, should there be any future use of chemical weapons, in violation of international law.

Clearly the most definitive and effective way to ensure that such weapons are not used again is through the conclusion of a global and comprehensive chemical weapons convention. This very short and focused draft resolution should therefore be seen as complementary to draft resolution A/C.1/45/L.21/Rev.1, which was just introduced by my colleague from Poland. It reflects in a direct and clear way international concern about the horrendous and futile pain and suffering that the use of these abominable and internationally reviled weapons will cause.

Draft resolution A/C.1/45/L.52 is, again, the result of long and careful consultations with a broad range of interested delegations. Discussions commenced within a core group of countries, including the sponsors of last year's text. We subsequently consulted with all regional groups and interested parties. The Australian delegation wishes to express its deep appreciation for the constructive and fruitful co-operation and assistance extended to it by all delegations.

In this context it is important to note that the overriding and common objective of all those who particpated in this process was to achieve again a consensus draft resolution with an unequivocal and substantive message. I commend, therefore, draft resolution A/C.1/45/L.52 to the First Committee for adoption without a vote.

The CHAIRMAN: I now call on the representative of the Byelorussian Soviet Socialist Republic, who will introduce draft resolution A/C.1/45/L.27/Rev.1.

Mr. MARTYNOV (Byelorussian Soviet Socialist Republic) (interpretation from Russian): Today my delegation has the honour of introducing draft resolution A/C.1/45/L.27/Rev.1, "Prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons". We do so on behalf of the delegations of Afghanistan, Austria, Benin, Bulgaria, Canada, Czechoslovakia, India, Italy, the Lao People's Democratic Republic, Mongolia, the Netherlands, the Ukrainian Soviet Socialist Republic, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, Viet Nam and the Byelorussian Soviet Socialist Republic.

The purpose of the draft resolution is to establish an agreed international procedure to make possible continuous monitoring of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons. It would also provide for the making, when necessary, of recommendations on undertaking specific negotiations on the identified types of such weapons. Those proposals are contained in operative paragraphs 2 and 3.

In the course of our work on the draft resolution my delegation held consultations with a wide range of other delegations, which mad8 it possible to reflect in the revised text all the positions expressed. My delegation would like to take this opportunity to express our sincere gratitude to all those who participated in the consultations, and our special gratitude to those delegations that agreed to become sponsors of the draft resolution.

On behalf of all the sponsors I should like to express the hope that the revised draft resolution will be adopted without a vote.

The CHAIRMAN: There are no delegations wishing to make statements in explanation of their position on draft resolution A/C.1/45/L.44 before a decision is taken on it.

(The Chairman)

The Committee will therefore proceed to take a decision on draft resolution A/C.1/45/L.44. This draft resolution is entitled "General and complete disarmament," and subtitled "Regional disarmament, including confidence-building measures", It was introduced by the representative of Belgium at an earlier meeting. I now call upon the Secretary of the Committee to read out the list of sponsors of the draft resolution.

Mr. KHERADI (Secretary of the Committee): The sponsors of draft resolution A/C.1/45/L.44 are: Austria, Belgium, Benin, Bolivia, Canada, Chile, Colombia, Costa Rica, Denmark, Ecuador, El Salvador, France, Germany, Greece, Guatemala, Honduras, India, Ireland, Italy, Luxembourg, Nepal, the Netherlands. New Zealand, Nicaragua, Norway, Pakistan, Panama, Paraguay, Peru, the Philippines, Poland, Portugal, Spain, Suriname, Turkey, the United Kingdom of Great Britain and Northern Ireland and Uruguay.

The CHAIRMAN: The sponsors of the draft resolution have expressed the wish that it be adopted by the Committee without a vote. If I hear no objection, I shall take it that the Committee wishes to act accordingly.

Draft resolution A/C.1/45/L.44 was adopted.

The CHAIRMAN: I shall now call upon representatives who wish to speak in explanation of their positioa on draft resolution A/C.1/45/L.44.

Mr. RIVERO (Cuba) (interpretation from Spanish): My delegation joined in the consensus on draft resolution A/C.1/45/L.44, which the Committee has just adopted, because we consider the question of regional disarmament and confidence-building measures to be of great importance. However, my delegation would like to place it on record that it would have wished the text of the draft resolution to contain a clearer statement of some ideas it considers to be important. For example, we think that regional disarmament measures can contribute

(Mr. Rivero, Cuba)

effectively to the general process of arms reduction and disarmament, but that it would have been useful to make it quite clear that such measures can contribute effectively to the process when promoted by the States of the region themselves, taking into account their own characteristics. That can be done only in an atmosphere of confidence based on mutual respect, if the best response is to be ensured.

There is no doubt that justice, solidarity and co-operation are of great validity. However, there are times when those terms are not given the same meaning by all. We would have preferred to make it quite clear that regional disarmament can take place only in an atmosphere of confidence based on mutual respect and channelled towards the best possible relations.

(Mr. Rivero, Cuba)

This is so when there is no use or threat of the use of force against States, when there is respect for the territorial integrity of such States, and non-interference in their internal affairs. All of this contributes to the peaceful settlement of such disputes.

Finally, with regard to the idea underlying operative paragraph 1, it is beyond question that a regional approach to disarmament is one of the essential elements in global efforts. It seems to me that we should have added some ideas to complete the text, within the context of general and complete disarmament.

The CHAIRMAN: The Committee will now proceed to take action on two Of the draft resolutions in cluster 4, namely, draft resolutions A/C.1/45/L.16 and A/C.1/45/L.27/Rev.1. The remaining draft resolutions in this cluster are deferred until a later stage,

Before the Committee proceeds to take a decision on these draft resolutions I call on those delegations wishing to make a statement on draft resolutions in this cluster,

Ms. AL-MULLA (Kuwait): My delegation would like to confine its comments to the draft resolution in document A/C.1/45/L.11, which was introduced by the delegation of Iraq on 8 November.

My delegation has serious difficulties with a draft resolution that has as its title "Prohibition of the development, production, stockpiling and use of radiological weapons". Our difficulty is basically with the elements left out of the draft resolution,

Let me explain also that Kuwait had in the past voted for such a draft resolution. We continue to support the basic thesis that nuclear facilities intended solely for peaceful purposes shall not be subjected to armed attack. We condemned the Israeli attack on the Iraqi nuclear facility in 1982. However, the

(Ms. Al-Mulla, Kuwait)

text now before us seems to be a little bit out of date. Certain elements will have to be included without touching the basic elements of the text, We would like to see some additions to the draft resolution.

To be specific, we would like to propose that the reference to Additional Protocol I of 1977 to the Geneva Conventions of 12 August 1949 should not be restricted to attacks on nuclear electricity-generating stations; but should also include a reference to prohibition of the taking of hostages. We would like that preambular paragraph to be expanded to include that reference.

We would also like to see a reference in the preamble and in the operative part to the effect that the holding of civilians hostage, irrespective of their nationality, and in line with Additional Protocol I, around military and industrial targets, is not permitted, and that in placing them around these targets, it exposes them to danger, including radioactive contamination.

Perhaps the whole thrust of this draft resolution is served by another draft resolution which is before the Committee, namely draft resolution A/C.1/45/L.38, entitled "Prohibition of attacks on nuclear facilities". Perhaps that would address the whole subject.

As I have said, Kuwait cannot support draft resolution A/C.1/45/L.11 as it has been presented. We feel compelled to put these ideas before the Committee in the hope that the Iraqi delegation may be able to incorporate some of them into draft resolution A/C.1/45/L.11. We have already submitted these amendments in writing and I hope that delegations will have the opportunity to come forward and support them.

The CHAIRMAN: I would request that the smendmeats be submitted to the Secretary in writing.

As there are no other delegations that wish to make a statement on this cluster, and as no delegations wish to explain their position before a decision is taken on the draft resolutions in cluster 4, I now propose to take a decision on the draft resolutions in cluster 4, beginning with draft resolution A/C.1/45/L.16, entitled "General and complete disarmament: prohibition of the development, production, stockpiling and use of radiological weapons". This draft resolution was introduced by the representative of Hungary at the 24th meeting of the First Committee on 2 November 1990.

I call now on the Secretary of the Committee who will read out the list of co-sponsors.

Mr. KHERADI (Secretary of the Committee): The list of sponsors for draft resolution A/C.1/45/L.16 is as follows: the Byelorussian Soviet Socialist Republic, Germany, Hungary, the Islamic Republic of Iran and Sweden.

The CHAIRMAN: The sponsors of the draft resolution have expressed the wish that it be adopted by the Committee without a vote. If I hear no objection, I shall take it that the Committee wishes to act accordingly.

Draft resolution A/C.1/45/L.16 was adopted.

The CHAIRMAN: We shall now take a decision on draft resolution A/C.1/45/L.27/Rev.1, entitled "Prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons: report of the Conference on Disarmament".

The draft resolution was introduced this morning by the representative of the Byelorussian Soviet Socialist Republic.

Before we proceed to take a decision on the draft resolution, I now call on the Secretary of the Committee.

Mr. KHERADI (Secretary of the Committee): The list of sponsors for draft resolution A/C.1/45/L.27/Rev.1 is as follows: Afghanistan, Austria, Benin, Bulgaria, the Byelorussian Soviet Socialist Republic, Canada, Czechoslovakia, India, Italy, the Lao People's Democratic Republic, Mongolia, the Netherlands, the Ukrainian Soviet Socialist Republic, the Union of Soviet Socialist Republics, the United Kingdom of Great Britian and Northern Ireland and Viet Nam.

The CHAIRMAN: The sponsors of the draft resolution have expressed the wish that it be adopted by the Committee without a vote. If I hear no objection, I shall take it that the Committee wishes' to act accordingly.

Draft resolution A/C.1/45/L.27/Rev.1 was adopted.

The CHAIRMAN: I shall now call on any delegation wishing to explain its position after the decisions that have just been taken on the draft resolutions listed in cluster 4.

Mr. LEDOGAR (United States of America): The United States was pleased to join the consensus this year on draft resolution L.27/Rev.1, on the "Prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons".

However, we wish the record to reflect that the United States has not identified any new types of such weapons, and we do not believe anyone else has either. Moreover, we do not believe this draft resolution has the intent of restricting defence research programmes.

Finally, if any new weapon of mass destruction is found in the future, its control, limitation or elimination could then be addressed with full account taken of the requirement for effective verification.

The CHAIRMAN: As previously announced, we shall now proceed to take action on the draft resolutions listed in cluster 5 - namely, A/C.1/45/L.7, L.14, L.23, L.25 and L.33.

As I informed the Committee earlier, action on the remaining draft resolutions in this cluster - namely, draft resolutions A/C.1/45/L.5, L.35 and L.43 - has been deferred to a later stage.

Since there are no delegations wishing to make a statement other than an explanation of position on draft resolutions contained in this cluster, I shall now call on any delegation wishing to explain its position before decisions are taken on draft resolutions listed in cluster 5.

Mr. GAJDA (Hungary): At this juncture the Hungarian delegation wishes to explain its position on three draft resolutions in cluster 5.

Let me mention first of all that, as in preceding years, draft resolution A/C.1/45/L.23 contains a great number of noble ideas and statements all of which we can easily agree with. We can only hope that the truly positive approach that is mirrored in the text will be characteristic also of attitudes in the everyday practice of negotiations on the subject. With that in mind, we shall vote in favour of that draft resolution.

The Hungarian delegation has been carefully studying the draft resolution contained in document L.25, concerning a convention on the prohibition of the use of nuclear weapons.

It is common knowledge in this body, as it is beyond these walls, that Hungary is totally opposed to nuclear weapons and, consequently, is a willing partner to any effort that can lead to their complete and final elimination. We are not convinced, however, that the convention promoted by this draft resolution is realistic enough to be accorded priority by the Conference on Disarmament. As long as the parties involved continue the practice of engaging in monologues, time and energy will be taken away from other, more realistic subjects. For that reason the Hungarian delegation will, with some reluctance, abstain in the vote on this draft resolution.

My delegation's position on draft resolution L.33, on a nuclear-arms freeze, will, again, show a departure from past practice. This document reflects a concept that is clearly outdated and is out of tune with the developments in bilateral negotiations. In addition, our fundamental opposition to nuclear weapons leads us to demand more than a freeze in a certain situation. My delegation will therefore abstain when it is put to the vote.

The CHAIRMAN: We shall now proceed to take decisions on draft resolutions contained in cluster **5,** beginning with draft resolution **A/C.1/45/L.7,** entitled "General and complete disarmament: nuclear disarmament*'. The draft resolution was introduced by the representative of China at the 31st meeting of the First Committee, on 8 November 1990.

(The Chairman)

I now call on the Secretary of the Committee to read out the list of sponsors.

Mr. KHERADI (Secretary of the Committee): The sponsor of draft resolution A/C.1/45/L.7 is China.

The CHAIRMAN: The sponsor of draft resolution A/C.1/45/L.7 has expressed the wish that it be adopted by the Committee without a vote. As I hear no objection I shall take it that the Committee wishes to act accordingly.

Draft resolution A/C.1/45/L.7 was adopted.

The CHAIRMAN: The Committee will now take a decision on draft resolution A/C.1/45/L.14, entitled "General and complete disarmament: comprehensive United Nations study on nuclear weapons". The draft resolution was introduced by the representative of Sweden at the 24th meeting of the Committee, on 2 November 1990.

I now call on the Secretary to read out the list of sponsors.

Mr. KHERADI (Secretary of tbe Committee): The sponsor of draft resolution A/C.1/45/L.14 is Sweden.

The CHAIRMAN: The sponsor of draft resolution A/C.1/45/L.14 has expressed the wish that it be adopted by the Committee without a vote. As I hear no objection. I shall take it that the Committee wishes to act accordingly.

Draft resolution A/C.1/45/L.14 was adopted.

The CHAIRMAN: The Committee will now take a decision on draft resolution A/C.1/45/L.23, entitled "Review of the implementation of the recommendations and decisions adopted by the General Assembly at its tenth special session: cessation of the nuclear-arms race and nuclear disarmament and prevention of nuclear war". The draft resolution was introduced by the representative of Argentina at the 33rd meeting of the Committee, on 9 November 1990.

I now call on the Secretary to read out the list of sponsors.

Mr. KHERADI (Secretary of the Committee): The sponsors of draft resolution A/C.1/45/L.23 are Argentina, Bolivia, Brazil, the Byelorussian Soviet Socialist Republic, Chile, Colombia, Ecuador, India, the Islamic Republic of Iran, Malaysia, Mexico, Nigeria, Peru, the Sudan, Sweden, the Ukrainian Soviet Socialist Republic, the United Republic of Tanzania, Uruguay and Venezuela.

The CHAIRMAN: A recorded vote has been requested.

A recorded vote was taken.

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Central African Republic, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Djibouti, Dominican Republic, Ecuador, Egypt, Ethiopia, Fiji, Finland, Ghana, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Peru, Philippines, Qatar, Rwanda, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Swaziland. Sweden, Syrian Arab Republic, Thailand, Togo, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe

Against: Belgium, Canada, France, Germany, Italy, Luxembourg, Netherlands, Portugal, Spain, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: Czechoslovakia, Denmark, Greece, Iceland, Israel, Japan, Norway, Poland, Romania

Draft resolution A/C.1/45/L.23 was adopted by 112 votes to 12, with 9 abstentions.

The CHAIRMAN: The Committee will now take a decision an draft resolution A/C.1/45/L.25, entitled "Review and implementation of the Concluding Document of the Twelfth Special Session of the General Assembly: convention on the prohibition

(The Chairman)

of the use of nuclear weapons". The draft resolution was introduced by the representative of India at the 29th meeting of the Committee on 7 November 1990.

I call on the Secretary to read out the list of sponsors.

Mr. KHERADI (Secretary of the Committee): The sponsors of draft resolution A/C.1/45/L.25 are Afghanistan, Algeria, Argentina, Bangladesh, Bhutan, Ecuador, Egypt, Ethiopia, India, Indonesia, Madagascar, Malaysia. Viet Nam and Yugoslavia.

The CHAIRMAN: A recorded vote has been requested.

A recorded vote was taken.

In favour: Afghanistan, Albania, Algeria, Angola, Argentina, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Botswana, Brasil, Brunei Darussalam, Burkina Faso, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Central African Republic, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Djibouti, Dominican Republic, Ecuador, Egypt, Ethiopia, Fiji, Finland, Ghana, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Peru, Philippines, Qatar, Rwanda, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tansania, Uruguay, Venasuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe

Against: Australia, Belgium, Canada, Denmark, France, Germany, Iceland. Italy, Luxembourg, Netherlands, New Zealand, Norway, Portugal, Spain, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of *America*

Abstaining: Bulgaria, Czechoslovakia, Greece, Hungary, Ireland, Israel, Japan, Liechtenstein, Poland, Romania

Draft resolution A/C.1/45/L.25 was adopted by 166 **votes to 17, with 10 abstentions.**

The CHAIRMAN: The Committee will now take action on draft resolution A/C.1/45/L.33, entitled "Review and implementation of the Concluding Document of the Twelfth Special Session of the General Assembly8 nuclear-arms freeze". The draft resolution was introduced by the representative of Mexico at the 25th meeting of the First Committee, held on 5 November 1990.

I call on the Committee Secretary.

Mr. KHERADI (Secretary of the Committee): Draft resolution A/C.1/45/L.33 is sponsored by the following delegations: Bolivia, India, Indonesia, Mexico, Myanmar, Peru and the Sudan.

The CHAIRMAN: A recorded vote has been requested, but owing to a malfunction of the voting machine I propose now to suspend the meeting.

The meeting was suspended at 12.05 p.m. and resumed at 12.30 p.m.

The CHAIRMAN: I apologize for the interruption caused by technical problems.

I call on the Secretary of the Committee.

Mr. KHERADI (Secretary of the Committee): I, too, apologize that a problem has arisen, owing purely to a technical, mechanical failure. I might add that I am glad we were not voting on any draft resolutions on science and technology.

The CHAIRMAN: The Committee will now take a decision on draft resolution A/C.1/45/L.33. As I stated earlier, a recorded vote has been requested.

A recorded vote was taken.

In favour: Afghanistan. Albania, Algeria, Angola, Argentina, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Central African Republic, Chile, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Djibouti, Dominican Republic, Ecuador, Egypt, Ethiopia, Fiji, Ghana, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Nepal, New Zealand, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Peru, Philippines, Qatar, Rwanda, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela. Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe

Against: Belgium, Canada, France, Germany, Israel, Italy, Japan, Luxembourg, Netherlands, Portugal, Spain, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: Bulgaria, China, Czechoslovakia, Denmark, Finland, Greece, Hungary, Iceland, Lfechtenatein, Norway, Poland, Romania

The draft resolution was adopted by 107 votes to 14, with 12 abstentions.

The CHAIRMAN: I call now on delegations that wish to explain their positions on draft resolutions in cluster 5.

Mr. MORRIS (Australia): Australia would like to explain its vote on draft resolution A/C.1/45/L.23, entitled "Cessation of the nuclear-arms race and nuclear disarmament and prevention of nuclear war". The draft resolution deals with the role of the Conference on Disarmament with respect to the cessation of the nuclear-arms race and, clearly, the prevention of nuclear war.

Australia supports consideration of the issue by the Conference on Disarmament, as the single multilateral disarmament negotiating body, in whatever format the Conference decides is appropriate.. We note that the draft resolution calls for the establishment of ad hoc committees, to which Australia would not object if consensus to do so existed. We also note, however, that the Conference on Disarmament has alternative methods at its disposal, including the use of informal meetings, to discuss the substance of the questions, methods that were used, for example, during the 1990 session.

Mr. DONOWAKI (Japan): I should like to explain Japan's vote on draft resolution A/C.1/45/L.33, on a nuclear-arms freeze.

Over the years Japan has made consistent efforts at the United Nations and various other international forums in pursuit of nuclear disarmament, with a view to the ultimate elimination of nuclear weapons. Japan also whole-heartedly welcomes the recent remarkable progress made in the field of nuclear disarmament by the United States and the Soviet Union.

On the other hand, while following the road towards the realization of nuclear disarmament, Japan considers that we should not loss sight of the present situation in the world, in which nuclear deterrence continues to play an important role in maintaining world peace and security.

(Mr. Donowaki, Japan)

For these reasons Japan has doubts about the practicability or meaningfulness of the proposal concerning a nuclear-arms freeoe upon which we have just voted. A freese on nuclear arms means the preservation of the real or perceived nuclear superiority of one side over the other, unless it is backed up by a reliable and well-prepared arrangement that will ensure a balanced reduction in nuclear arms. Therefore, a nuclear-arms freeze cannot by itself be a contributory factor to international peace and stability.

Furthermore, on the question of verification raised in the draft resolution's sixth preambular paragraph, my delegation understands that in regard to a nuclear freeze enforcement of verification is extremely difficult. Of course, a mere declaration of a nuclear-arms freeze without effective means of verification would not be very meaningful.

Those are the basic reasons why Japan voted against draft resolution L.33.

Mr. AMIGUES (France) (interpretation from French): As in the case of last year's draft resolution with regard to a nuclear-arms freeze, I should like to state France's reason for voting against draft resolution A/C.1/45/L.33. Our objections relate to the very concept of the freeze and have been expressed on many occasions,

First, a freeze would by definition tend to fix existing situations and, therefore, the imbalances that such situations may entail and the resultant security risks for the States concerned. Furthermore, a freeze might be tantamount to giving any State that significantly increased its armaments a lasting advantage, to the detriment of States that might have reduced their efforts.

In addition, a freeze would be very difficult to verify, and the establishment of an effective mechanism for verifying an arms freeze would require negotiations that would be no less lengthy or complicated than in the case of an agreement on actual arms reduction, Lastly, a freeze, to the extent that it might benefit a

(Mr. Amiaues. France)

given Power, might considerably reduce that Power's interest in negotiations, and thus its readiness to enter seriously into negotiations on the reduction of armaments.

Consequently, progress towards the reduction of nuclear arsenals would in no way be promoted by statements aimed at bringing about a freeze. The path towards such reductions is one that requires, in its initial phase, negotiations between the two major nuclear Powers, beginning with the definition and establishment of a satisfactory balance.

France hopes that, in light of the developments *in* the international situation, the sponsors of the draft resolution will in the future recognize the outmoded and inapplicable nature of the concept of a nuclear-arms freeze.

Mr. PAWLAK (Poland): I should like to explain the vote of the Polish delegation on draft resolution A/C.1/45/L.25, "Convention on the prohibition of the use of nuclear weapons".

Poland is in general in favour of the objectives set forth *in* that draft resolution, namely, reduction of the threat of nuclear war and prohibition of the use of nuclear weapons. However, we have certain doubts as to whether the draft convention annexed to draft resolution L.25, in its present form, can realistically be acceptable to and considered by the Conference on Disarmament as a practical disarmament measure. For that reason, Poland reluctantly abstained in the voting on the draft resolution,

Mr. ELM (Sweden): The Swedish delegation would *like* to explain its vote on draft resolution A/C.1/45/L.25, "Convention on the prohibition of the use of nuclear weapons".

Sweden voted in favour of draft resolution L.25, which was introduced by the representative of India. We have done so, as with similar draft resolutions in

(Mr. Elm, Sweden)

previous years, because Sweden supports the concept of the prohibition in an international legal instrument of the use and threat of use of nuclear weapons. It seems that such a prohibition corresponds to an emerging international norm according to which the use of nuclear weapons contravenes the laws of humanity and the dictates of public conscience. Already many rules of international law limit or prohibit the use of nuclear weapons in certain circumstances. Sweden considers that the time is ripe for an investigation into the possibilities of comprehensively banning, in an appropriate, legally binding form, the use of nuclear weapons.

Since the prohibition of the use of nuclear weapons cannot be inferred from the Charter of the United Nations, Sweden has reservations concerning the seventh preambular paragraph of the draft resolution and its interpretation of the Charter.

Mr. PATORALLIO (Finland): I wish to speak to explain my delegation's vote on draft resolution A/C.1/45/L.33, "Nuclear-arms freeze". This year my delegation abstained in the voting on the draft resolution on this subject, for two basic reasons.

In our view, the idea of a nuclear-arms freeze was a viable approach to nuclear disarmament as long as the nuclear-arms race went on unabated and the number of nuclear weapons was on the increase, with no prospect of reductions. That was the situation in the early 1980s. St was in light of that sombre situation that Finland supported the freeze approach and the corresponding draft resolutions in the past. Today, however, the situation is different. Real reductions in nuclear weapons have been agreed upon and implemented, Further reductions are in the offing. A freeze in this situation would not move the process of nuclear disarmament forward. Indeed, it would freeze it. That is why

(Mr. Patokallio, Finland)

we have had growing misgivings about the draft resolution on this subject for some time, and that is why this year we have decided that we can no longer support it.

Further, we have always been slightly troubled by the considerable redundancy evident in the draft resolution. Issues such as the non-production of fissionable materials and a comprehensive test ban are already addressed in other draft resolutions which my delegation not only votes for but sponsors.

Mr. JANDL (Austria): The Austrian delegation voted in favour of draft resolution A/C.1/45/L.33, "Nuclear-arms freeze'*. We did so because over the years we have been in agreement with the basic ideas and concepts of the so-called freeze and have supported the relevant draft resolutions.

However, with regard to recent developments on the international scene, in particular in the field of arms control and disarmament, we want now to emphasize that, in our understanding, the freeze should not prevent or impede the reduction of stockpiles of nuclear arms or the complete elimination of nuclear weapons. Therefore, in our opinion, the freeze should be seen not as a concept contradicting such positive achievements as the Treaty on the Elimination of Intermediate-Range and Shorter-Range Missiles (INF Treaty) and other genuine disarmament agreements but rather as complementary to them.

Mr. MORRIS (Australia): I have just explained Australia's position on draft resolution A/C.1/45/L.23, "Cessation of the nuclear-arms race and nuclear disarmament and prevention of nuclear war", and I would now like to explain our position on draft resolution A/C.1/45/L.33, entitled "Nuclear-arms freeze". Australia has consistently supported the draft resolution on this subject since 1984. We continue to have sympathy for its objectives with respect to the qualitative development of nuclear weapons. However, we question the continuing relevance of the draft resolution in other respects at a time when not simply is a freeze being pursued, but in fact quantitative reductions in nuclear weapons are taking place.

Mr. ADANK (New Zealand): New Zealand voted in favour of draft resolution A/C.45/L.23, on the cessation of the nuclear-arms race and the prevention of a nuclear war, and draft resolution A/C.1/45/L.33, concerning the nuclear-arms freeze. While New Zealand has supported both draft resolutions, it concurs in and would like to associate itself with the explanations of vote that have been made by the representative of Australia in respect of these two draft resolutions.

Mr. HU Xiaodi (China) (interpretation from Chinese): The Chinese delegation voted in favour of draft resolution A/C.1/45/L.25, entitled "Convention on the prohibition of the use of nuclear weapons** because we are in favcur of the main purpose of the draft resolution. This is known to all. Since the first day *when* nuclear weapons came into its possession, the Chinese Government has solemnly declared that China will at no time and in no circumstances be the *first* to use nuclear weapons. China has also undertaken to refrain from the use or threat of use of nuclear weapon8 against non-nuclear-weapon States or nuclear-weapon-free zones.

(Mr. Hu Xiaodi, China)

China has always maintained that, pending the achievement of the goal of a complete ban on and total destruction of nuclear weapons, all the nuclear States should undertake not to be tbe first to use nuclear weapons at any time and in any circumstances, and unconditionally promise to refrain from the use or threat of use of nuclear weapons against non-nuclear-weapon States or nuclear-weapon-free zones. On this basis, corresponding international agreements could be concluded. The Chinese delegation believes that some of the wording in draft resolution A/C.1/45/L.25 and the draft convention annexed thereto could be further discussed and improved.

The Chinese delegation joined in the consensus on draft resolution A/C.1/45/L.14, entitled "Comprehensive United Nations study on nuclear weapons**. However, I should point out that the Chinese delegation did not participate in the vote on resolution 43/75 N, nor did Chinese Government experts participate in the research for the comprehensive study on nuclear weapons.

The policy and position of the Chinese Government on nuclear weapons and nuclear disarmament have been fully expounded in the relevant official documents of the Chinese Government and in the statements of Chinese leaders.

The CHAIRMAN: The Committee has thus concluded its consideration of and action on the draft resolutions in clusters 4 and 5, except for the draft resolutions which we decided at the beginning of our meeting to defer.

The Committee will proceed tomorrow to consider and take action on the draft resolutions in cluster 7, except for draft resolution A/C.1/45/L.39 A and B: in cluster 6, in which draft resolution A/C.1/45/L.56, as we have been informed, is the *new* merged text of L.9 and L.19; in cluster 8, the remaining draft resolution, A/C.1/45/L.51; and in cluster 9, draft resolutions A/C.1/45/L.13/Rev.1 and A/C.1/45/L.24/Rev.1.

The meeting rose at 12.55 p.m.