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*Chairman: Mr. Ismail FAHMY*  
(United Arab Republic).

**AGENDA ITEM 28**

**Non-proliferation of nuclear weapons (*continued*):**

**(a) Report of the Conference of the Eighteen-Nation  
Committee on Disarmament (A/7072 and  
Add.1-DC/230 and Add.1; A/7080; A/C.1/959-960;  
A/C.1/963; A/C.1/L.421/Rev.1 and Add.1-3)**

1. Mr. GHAUS (Afghanistan): On practically every occasion, both nuclear and non-nuclear States have stressed the very real and grave dangers inherent in the further proliferation of nuclear weapons. The astonishing achievements registered in the field of nuclear science have considerably lowered the cost of producing nuclear weapons and have therefore increased the possibility of their acquisition by poorer countries. In the meantime, the advances in nuclear technology have undoubtedly reduced the technical problems involved, making it relatively easier for smaller countries to "go nuclear".

2. According to estimates, in some of the non-nuclear-weapon States where plutonium separation facilities are in operation, the development of explosion technology, if it is desired, would take one to two years, and in some cases only a few months. The situation prevailing in the world today can in itself be considered by some non-nuclear-weapon States as reason enough to embark on a nuclear adventure and to devise ways and means of acquiring or developing nuclear weapons.

3. We, for our part, are of the opinion that the wider dissemination of nuclear weapons will engender more fear and suspicion among nations. The multiplication of nuclear-weapon States will complicate further the peace-keeping role of the United Nations and will affect adversely the already precarious state of international relations. It is evident that the conclusion of a treaty on general and complete disarmament under effective international control would be the best way to free the world from the nightmare of a nuclear holocaust. But experience has shown, much to our dismay, that the ultimate goal of general and complete disarmament cannot be reached quickly.

4. In view of the dangers facing humanity as a result of the development, sophistication, proliferation and continuous stockpiling of nuclear weapons, it has become imperative that, pending an agreement on general and complete disarmament, the nations of the world should strive to seek agreement on partial and collateral measures of disarmament.

5. During recent years, one of the partial measures—namely, the conclusion of a treaty which would check the proliferation of nuclear weapons—has been in the forefront of the preoccupations of the United Nations General Assembly and the Eighteen-Nation Disarmament Committee.

6. Afghanistan, like all other peace-loving countries, has always been a staunch supporter of a treaty which would effectively halt the spread of nuclear weapons and prevent the diversion of atomic energy from peaceful uses to warlike purposes. The Declaration of the Assembly of Heads of State and Government of the Organization of African Unity in July 1964, and that of the Heads of State or Government of Non-Aligned Countries in October 1964, stressed unequivocally the need to halt the spread of nuclear weapons with a view to eliminating them completely. The General Assembly, by its resolution 2028 (XX), requested the Eighteen-Nation Committee on Disarmament to ensure that the proposed treaty on non-proliferation should be drafted in accordance with the principles embodied therein. Those principles being well known, there is no need to enumerate them here.

7. After painstaking efforts, the Eighteen-Nation Committee on Disarmament succeeded in presenting for the consideration of the General Assembly the text of a draft treaty on the non-proliferation of nuclear weapons.<sup>1</sup> The text of that draft is essentially the result of a delicate compromise worked out by the two super-Powers, members of the Conference of the Eighteen-Nation Committee on Disarmament, the United States of America and the Soviet Union. In this regard, we want to congratulate the two co-Chairmen of the Eighteen-Nation Committee for their foresight and political wisdom. The agreement reached by the United States and the Soviet Union on a joint text is in itself cause for satisfaction. We hope that the *détente* brought about by that agreement will be conducive to the speedy finalization of the draft text in such a manner as to make it acceptable to all countries, nuclear and non-nuclear alike.

8. Apparently it was not possible, in Geneva, for the authors of the text presently under consideration to

<sup>1</sup> Official Records of the Disarmament Commission, Supplement for 1967 and 1968, document DC/230 and Add.1, annex I.

accommodate all the views and amendments put forward by the other members of the Eighteen-Nation Committee on Disarmament. Although we are aware of the formidable political difficulties that had to be overcome, we had hoped, as a non-aligned country, that the text would have reflected more fully the views of the non-aligned members of the Eighteen-Nation Committee as contained in their memorandum and their subsequent presentations. We expected, also, that the proposals of some of the other non-nuclear participants in that body would have found a greater degree of acceptance.

9. The scope of the adherence to the treaty on non-proliferation, as to all other instruments related to disarmament, is of overriding importance. The universal applicability of the treaty on non-proliferation will be the essential element of its effectiveness. It is clear that in principle the vulnerable position of non-nuclear-weapon States parties to the treaty, in matters related to defence and security, will be maintained vis-à-vis those potential nuclear-weapon States that are allowed to remain outside the scope of the present draft instrument.

10. The form and the substance of the security assurances in the draft treaty have prompted a number of important reservations both here and in the Eighteen-Nation Committee. The Eighteen-Nation Committee was unable to write into the core of the treaty a provision which would adequately have solved this all-important problem. Instead, regarding the question of assurances to non-nuclear-weapon States which would opt to become parties to the treaty, a draft resolution was submitted by three nuclear-power States participating in the work of the Eighteen-Nation Committee for appropriate consideration by the Security Council. Under that draft resolution, the Security Council would recognize:

“... that aggression with nuclear weapons or the threat of such aggression against a non-nuclear-weapon State would create a situation in which the Security Council, and above all its nuclear-weapon State permanent members, would have to act immediately in accordance with their obligations under the United Nations Charter.”<sup>2</sup>

It would also welcome, in rather vague terms, “the intention expressed by certain States” to assist in accordance with the United Nations Charter a non-nuclear State party to the treaty if it falls victim to a nuclear aggression or becomes the object of a threat of aggression in which nuclear weapons are used. With this novel approach to the problem of security we immediately notice how involved everything becomes.

11. It has been rightly pointed out that the word “aggression” has defied, until now, an agreed definition. Would it be possible for all permanent members of the Security Council to agree on what is meant by “nuclear aggression” and to concur that, in a particular instance, nuclear aggression has in fact taken place? Would they be able, in a given case of “aggression with nuclear weapons or the threat of such aggression against a non-nuclear-weapon State”, to act immediately and effectively? How will the ever-present question of the veto be dealt with when there

is no agreement among the permanent members of the Security Council and a non-nuclear country has fallen victim to a nuclear aggression or is threatened by such an aggression? What would be the situation if a non-nuclear-weapon State were to fall victim to aggression or was threatened with such aggression by a permanent member of the Security Council? In the case of an armed attack in which nuclear weapons are used, mention is made in operative paragraph 3 of the draft resolution of the inherent right of individual and collective self-defence, as recognized under Article 51 of the Charter. This right may be exercised “until the Security Council has taken measures necessary to maintain international peace and security”.

12. May we enquire how a non-nuclear-weapon State will avail itself of this “individual” right of self-defence? Would it retaliate by using conventional armaments? —because, by definition a non-nuclear-weapon State can resort only to such means of warfare. Even this is quite hypothetical. We can imagine what would be left of its armed forces or its territory for that matter, after it had been submitted to a nuclear attack. The same observation remains valid regarding the collective right of self-defence involving non-nuclear-weapon States which are not members of a military alliance receiving the protection of one or more nuclear-weapon States.

13. The words “until the Security Council has taken measures necessary to maintain international peace and security”, borrowed from Article 51 of the Charter, acquire a somewhat different and disturbing significance when they appear in the text of a resolution dealing essentially with the immediate provision of assistance to a non-nuclear-State victim of a nuclear attack. By its nature the question of nuclear aggression and the use of nuclear weapons requires a preventive solution—not an arrangement which would tend to correct the situation after the weapons of mass destruction have been employed.

14. The General Assembly, by its resolution 1653 (XVI), has solemnly declared that the use of nuclear and thermonuclear weapons is contrary to the rules of international law and to the letter and spirit of the United Nations Charter. It would have been a welcome step if, instead of concentrating on the concept of nuclear aggression, a proper formula had been found reflecting adequately, in the text of the treaty and as an integral part of it, the provisions of that historic resolution. In the absence of a formal instrument prohibiting the use of nuclear and thermonuclear weapons this would have been a better approach to the problem of security guarantees. Such a binding clause will have the merit of committing the nuclear-weapon States not only to refrain from using atomic weapons against each other but also against non-nuclear States, or denuclearized zones. The inclusion of a formal and binding pledge in the treaty, guaranteeing that the non-nuclear States party to the treaty will not be subject to a nuclear attack nor will they become objects of a threat of nuclear attack, is highly desirable. The logical consequence of this pledge would be the provision of immediate assistance by nuclear-power States to the victim of a nuclear attack or to the non-nuclear State which becomes the object of a threat of nuclear attack. This would be a step towards a system of collective security as envisaged in the United Nations Charter.

<sup>2</sup> *Ibid.*, document DC/230 and Add.1, annex II.

15. The representative of the United States yesterday elaborated further on the views of his Government on the important question of security arrangements. We are studying those supplementary remarks with the seriousness that they deserve and we will express our views on them at a later stage if we deem it necessary.

16. It has been said here that the conclusion of a non-proliferation treaty will, in itself, strengthen considerably the security of non-nuclear-weapon States. This, of course, is obvious. After all, one of the avowed intentions of the treaty is to protect the non-nuclear States from an intensification of horizontal nuclearization. But in the light of the present political structure of the world we are convinced that they are entitled, in renouncing voluntarily the acquisition of nuclear weapons, to expect a better and a more realistic system of security guarantees than is actually proposed.

17. It seems that the first principle set out in resolution 2028 (XX), which stipulates that the treaty on non-proliferation should have no loop-holes permitting, directly or indirectly, the non-nuclear States to acquire nuclear weapons has been satisfactorily reflected in articles I and II of the present draft. The various ramifications of this principle, especially the problems of non-dissemination of and control over nuclear weapons within the existing military alliances, were of such great political importance that they constituted the stumbling block which time and again shattered the hope of arriving at an agreed solution.

18. It has been said in the course of the present debate that the draft treaty does not contain an acceptable balance of mutual responsibilities and obligations of nuclear and non-nuclear Powers as prescribed by the second principle of the General Assembly resolution. It is difficult to disagree with some of the forceful arguments advanced in this respect. It would have been indeed a significant achievement if the present draft treaty not only had covered horizontal dissemination of nuclear weapons, but also had regulated vertical proliferation of those weapons. It is obvious that as long as the latter form of proliferation remains unchecked the present treaty will be discriminatory. But in our view it is possible to achieve a more acceptable balance if the nuclear Powers would undertake to tackle seriously all the other measures of nuclear disarmament. Their firm commitment to this end has become essential now that the high hopes placed in the treaty on non-proliferation are expected to be fulfilled.

19. The present draft treaty does not impose disarmament obligations on the nuclear-weapon States. The declaratory language of the preamble and article VI of the treaty does not allay the doubts entertained by some as to the intentions of nuclear-power States regarding the future agreement on measures of nuclear disarmament and arms control. According to the majority of non-nuclear States from Asia and Africa who have participated in this debate, it is not conceivable that the non-nuclear-weapon States should be asked to forswear the acquisition and the development of nuclear weapons while the nuclear Powers have not yet made a start on the road leading to general and complete disarmament. We believe that prompt agreement on some partial measures, such as a comprehensive test-ban treaty, the cut-off in the production of fissionable materials

and the conversion of some of the existing stocks of nuclear weapons to peaceful uses, can and should be achieved.

20. It was preferred not to link the negotiation on a non-proliferation treaty to these collateral or partial measures of disarmament.

21. Now that a treaty on non-proliferation has come into being, can we hope that it will be followed, and followed quickly, by an agreement on some of these additional measures? It has been said time and again that some of these measures, like the extension of the partial test ban treaty to underground explosions, are ripe for agreement. It is not unreasonable to hope that for the sake of strengthening the treaty on non-proliferation and enlarging the area of its applicability the necessary political decisions would be made in this respect by the nuclear-weapon States. This would narrow to a great extent the gap presently existing.

22. After long-drawn-out negotiations in Geneva it was possible to agree on the present formulation of article III, regarding the sensitive issue of safeguards. Some fears have been expressed that the present wording of article III could hamper the peaceful development and use of nuclear energy.

23. The difficulty stems from the fact that the by-product of the fission process in a nuclear reactor functioning for peaceful purposes can be used to manufacture nuclear weapons. In the present state of scientific realities it was not, therefore, possible to do otherwise than to rely for the purposes of control on the safeguards system of the International Atomic Energy Agency. We recognize that the essential aim of the draft treaty is to prevent the non-nuclear-weapon States from acquiring, possessing or developing nuclear weapons. But this purpose should in no way restrict the use of nuclear energy for peaceful purposes. This is obviously of particular importance for the developing countries which have to mobilize all their resources in order to catch up with the rest of the world and remedy their social and economic backwardness.

24. In the light of the provisions of article III, the form and content of the agreements which will be concluded between the non-nuclear-weapon States and the International Atomic Energy Agency acquire special significance. These agreements, which are related to the procedure of implementation, should be drawn in such a way as to avoid hampering the economic or technological development of the parties to the treaty.

25. The provisions of article III should never be interpreted restrictively, but should be read in conjunction with the stipulations of article IV, which quite rightly recognizes "the inalienable right of all Parties to the Treaty to develop research, production and use of nuclear energy for peaceful purposes without discrimination."

26. One additional factor which, in our view, will create a better understanding of article III is the desirability of extending the safeguard system so as to make it universally applicable. Adherence to the treaty, which involves vital issues of national interest and sovereignty, will be facilitated if a uniform and universal system of safeguards is initiated and agreed upon.

27. By virtue of the draft non-proliferation treaty, all peaceful nuclear explosions will remain within the exclusive control of the present nuclear Powers. The Charter of the United Nations has entrusted the five permanent members of the Security Council with special powers and responsibilities for the maintenance of peace and security. It appears that article V of the present non-proliferation draft has conferred new and enlarged privileges upon the five permanent members of the Security Council. These privileges now encompass the fields of economics, science and technology. Some pertinent observations regarding this aspect of the treaty were put forward a few days ago in this Committee by the Foreign Minister of Brazil [*1560th meeting*]. It is, of course, very difficult not to agree with them.

28. There being no difference from the point of view of technology between a nuclear weapon explosion and a peaceful explosive device, what, then, at present, shall be the choice? Science may succeed one day in positively identifying a peaceful nuclear explosion; but until that day we know of no alternative than to content ourselves with the present formulation of article V, which indicates that the benefits of peaceful explosive devices shall be put at the disposal of the non-nuclear States only by the nuclear-weapon States. We shall view this transfer of benefits as a form of technical assistance which the "have-nots" are receiving, in the present context of economic co-operation, from the industrially advanced countries of the world.

29. My delegation has never doubted the spirit of co-operation and understanding of the drafters of the present text. We reiterate our hope that every effort will be deployed to reach agreement on a treaty which would command the general acceptance of all States and would safeguard their vital interests.

30. The magnitude and importance of an undertaking such as the conclusion of a non-proliferation treaty should, in itself, prompt us to approach the whole problem with extreme care. In spite of the provisions of article VIII of the present draft, permitting the presentation of amendments—an article which, it should be said in passing, has in itself provoked some serious objections in the Committee—it is advisable to try to accommodate as much as possible the objections and the various points of view before the adoption of the final text.

31. If the intention is to have a workable and effective instrument on non-proliferation, then it should be borne in mind that it is imperative to create an atmosphere of goodwill and co-operation between all nuclear-weapon States. An encouraging step was taken in this regard by the Governments of the United States and the Soviet Union when they agreed to present a joint non-proliferation text for the consideration of the Eighteen-Nation Committee on Disarmament and the General Assembly. It is essential that this co-operation be horizontally enlarged.

32. In this respect it might be useful to remind ourselves that one of the major nuclear Powers, the People's Republic of China, has not been associated with the disarmament negotiations. The necessity of associating that major nuclear Power with all the discussions and arrangements related to disarmament should transcend the political

considerations of some countries which, to this day, have prevented the restoration of the lawful rights of the People's Republic of China in the United Nations. The necessary political climate should be created in order to allow the People's Republic of China to shoulder its responsibilities in the fields of nuclear disarmament and arms control. In the same spirit we hope that the world community can benefit from the co-operation and vast experience of France in matters of disarmament.

33. Afghanistan, as a small State not aspiring to become a nuclear-weapon country, attaches great importance to the safeguarding of its rights and interests, as well as the rights and interests of all other small countries of the world. It is undeniable that the present draft treaty is a step towards disarmament—a step in the right direction. However, according to the co-authors themselves, it is not a perfect text. Nobody had expected them to produce a draft which, from the very beginning, would command universal acceptance.

34. We hope that the nuclear-weapon States, which have great responsibilities towards the community of nations in matters of disarmament, will give due consideration, in this domain, to the expectations of the small countries, which constitute the vast majority of nations and peoples of the world. We are sure that the reservations and even the objections of the small non-nuclear countries do not run counter to the interests of powerful nuclear States, and we are certain that they will never be so interpreted.

35. Mr. GARCÍA ROBLES (Mexico) (*translated from Spanish*): First of all, my delegation would like to express its appreciation to those who have contributed most directly to shaping the draft treaty on the non-proliferation of nuclear weapons, which the Eighteen-Nation Committee on Disarmament has referred to the General Assembly as an annex to its report of 19 March 1968 now before us.

36. In this connexion, I should like to make specific mention of the Minister for External Affairs of Ireland, Mr. Aiken, who ten years ago, in the autumn of 1958, first introduced the proposal<sup>3</sup> that was to be embodied in resolution 1665 (XVI) of 4 December 1961, which was adopted unanimously by the General Assembly. I should also like to mention the two co-Chairmen of the Conference of the Eighteen-Nation Committee on Disarmament who were largely responsible for preparing the text before us—and here I am particularly pleased to mention Ambassadors Foster and Fisher of the United States and Ambassador Roschin of the Soviet Union, who have been working at Geneva so perseveringly and tirelessly for many years. I should also like to mention the two Ministers of State of the United Kingdom who have successively represented that country, the third nuclear Power participating in the work of the Eighteen-Nation Committee; I refer, of course, to Lord Chalfont and Mr. Mulley, who also lent their invaluable co-operation to the success of that work. Likewise, I wish to mention the Secretary-General, who has constantly stressed the importance and urgency of the Committee's assignment and made every effort to give

<sup>3</sup> See *Official Records of the General Assembly, Thirteenth Session, Plenary Meetings*, 751st meeting, paras. 81-88; and *ibid.*, *Thirteenth Session, Annexes*, agenda items 64, 70 and 72, document A/C.1/L.206.

it all the collaboration and services at his command in order to ensure its success.

37. We feel that the fact that Mexico is privileged to be a member of both the Eighteen-Nation Committee on Disarmament and the group of eight non-aligned States within that Committee should not hinder us from also expressing our sincere congratulations to all the other members of both bodies for their valuable contribution.

38.. Finally, I should like to express the particular appreciation with which we have heard the many statements made in this debate concerning the inspiration and stimulus that the work at Geneva undoubtedly provided in speeding up the conclusion of the Treaty on the Prohibition of Nuclear Weapons in Latin America, known as the Treaty of Tlatelolco [see A/C.1/946].

39. As I now come to the substantive part of my statement, it might be useful to mention the main points I shall try to explain and develop. This may, from the outset, provide an over-all picture which, as my statement proceeds, will help you to appreciate the complete consistency of Mexico's position with regard to the non-proliferation of nuclear weapons and the constructive spirit that has always inspired our action in this field.

40. The points I have just referred to may be stated in the form of three questions, as follows:

(a) What has Mexico's attitude been towards the non-proliferation of nuclear weapons?

(b) What is the position of the delegation of Mexico with regard to the draft treaty submitted to the General Assembly by the Disarmament Committee?

(c) What conclusions can be drawn from a comparison of the Treaty of Tlatelolco with the draft treaty?

41. In answer to the first question, we take legitimate pride in being able to declare that Mexico has, from the start, clearly and unreservedly been in favour of non-proliferation of nuclear weapons and has shown constantly, not only by words but by deeds, the sincerity of its position, at both the regional and the world level.

42. In this connexion it may suffice to recall the contribution my country made to the preparation and conclusion of the Treaty of Tlatelolco, which earned it the signal honour of having the Preparatory Committee for the Denuclearization of Latin America unanimously appoint the Mexican Government as the Depository Government for the Treaty, and Mexico as the headquarters of the Agency for the Prohibition of Nuclear Weapons in Latin America established by the Treaty.

43. At the world level, the delegation of Mexico not only supported and voted for all the draft resolutions on non-proliferation introduced by Ireland which have been adopted since 1959, but also, together with Ghana, Japan and Morocco, co-sponsored the draft resolution of Ireland which in 1960 became General Assembly resolution 1576 (XV).

44. My delegation likewise unreservedly supported the draft resolution, submitted by Sweden at the sixteenth

regular session of the General Assembly, on the establishment of what was referred to at the time, in the words of the Minister for Foreign Affairs of Sweden, Mr. Östen Undén, as a "non-nuclear club", and which led to resolution 1664 (XVI). In 1963 my country also submitted to the General Assembly the draft that was to be adopted as resolution 1884 (XVIII), designed to prevent the proliferation of nuclear weapons in outer space.

45. Subsequently, my delegation has always made particular efforts to contribute in every way possible to the success of the Eighteen-Nation Committee on Disarmament, both through the statements it has made year after year in that Committee and by its active participation in the work at Geneva and in the preparation of the memoranda and draft resolutions—such as the memorandum that served as the basis for the adoption of the historic resolution 2028 (XX)<sup>4</sup>—which have constituted one of the most outstanding aspects of the contribution made by the non-aligned countries.

46. Even more recently, last year, Mexico's participation in the work of the Eighteen-Nation Committee was intensified. On 21 February 1967, at the inaugural meeting of the 1967 session, the Mexican delegation officially submitted to the Committee<sup>5</sup> the Treaty for the Prohibition of Nuclear Weapons in Latin America. In a statement one month later, on 21 March 1967,<sup>6</sup> we set forth a series of general considerations on what we felt should be the content of the draft treaty then being negotiated by the two co-Chairmen, and we made several specific suggestions. Some of them—such as the one indicating that the desire of one third of the States Party to the Treaty should be sufficient for the convening of a conference to examine any proposed amendment—were incorporated in the text of the draft treaty of 24 August 1967.<sup>7</sup> On 19 September 1967, my delegation submitted to the Committee the first four amendments<sup>8</sup> proposed on the texts I have just mentioned, of which one was incorporated wholly and the other three in part in the text of the revised draft of 18 January 1968,<sup>9</sup> thereby considerably strengthening and improving the previous text.

47. The brief recapitulation I have just given, which might be usefully supplemented by a reading of the remarks and comments of the delegation of Mexico in the seven statements it had occasion to make in the Eighteen-Nation Committee, from 21 February 1967 to 6 March 1968, makes it unnecessary for me to add any opinion concerning the realistic, moderate, conciliatory and constructive nature of the contribution we have always made to the efforts aimed at the prevention, by treaty, of the proliferation of nuclear weapons.

48. In relation to the second question I posed at the beginning of my statement, I shall now try to set forth our

<sup>4</sup> See *Official Records of the Disarmament Commission, Supplement for January-December 1965*, document DC/227, annex 1, section E.

<sup>5</sup> ENDC/PV.287, para. 48.

<sup>6</sup> ENDC/PV.295 and Corr.1.

<sup>7</sup> See *Official Records of the Disarmament Commission, Supplement for 1967 and 1968*, document DC/230 and Add.1, annex IV, sects. 6 and 8.

<sup>8</sup> *Ibid.*, annex IV, sect. 12.

<sup>9</sup> *Ibid.*, sects. 7 and 9.

position with regard to the item before us. To do so, I shall begin by particularly stressing that the delegation of Mexico, faithful to its traditional position, considers it its duty to help to ensure that the decision should be taken at the present session of the General Assembly to open for signature a treaty on the non-proliferation of nuclear weapons which would command general, or at least the widest possible, acceptance.

49. What I have just said already indicates clearly enough that we believe it would be inadvisable to postpone a resolution for that purpose until the next session, although it also implies that the First Committee, as the Chairman stressed at the beginning of our work, must take all the time necessary, without any haste, to enable it to come to "a correct decision". We believe that to do that, it is indispensable not to lose sight of the fact that the resolution we are to adopt is of an exceptional nature; its success depends not on obtaining the minimum number of votes required by the rules of the General Assembly, but on those votes being as numerous and spontaneous as possible, so that they may prove to be a hopeful sign that very shortly they will be matched by an equal number of signatures and ratifications of the treaty. Those signatures, as everybody knows, will not depend on the votes cast here, but on the free and sovereign will of Member States.

50. For this reason, we believe that we must try to fulfil two conditions we consider fundamental: firstly, that the delegations of the two States jointly sharing the chairmanship of the Conference of the Eighteen-Nation Committee on Disarmament should show open-mindedness regarding the viewpoints of all the other delegations and should be willing, when the vote is about to be taken, to include in a third and final revision of the draft treaty those changes proposed in the debate which, without affecting the treaty's essence and structure in any way, will, on the contrary, improve it; secondly, that all of us in the other delegations should try to act with the greatest sense of responsibility, refraining from proposing changes which, whatever their theoretical merit might be, would turn out to be excessive in practice or else, in the light of the work at Geneva, impossible to achieve for the time being. By following this procedure, our work will have been started on the road that may best lead us to the goal I am sure we all desire.

51. A body composed of 124 members is undoubtedly far from an ideal organ for negotiation, let alone for drafting. But at the same time, it would hardly be very healthy, so to speak, to expect the General Assembly, confronted by a matter of such major importance as the treaty on non-proliferation, to find itself reduced to playing the role of the chorus in Greek tragedy. Between these two extremes, and without falling into either, there is a wide range of fruitful possibilities.

52. For this reason the delegation of Mexico in the Eighteen-Nation Committee on Disarmament in Geneva, in the statements made on 15 February and 6 March 1968,<sup>10</sup> declared unequivocally that our country—and I shall quote almost word for word what was said then—reserved complete freedom to submit or support all and any

suggestions that might improve the text of the draft treaty, because we consider a truly world-wide forum as the proper place for the culmination of the negotiation of "... a treaty which by its very nature is the concern of the entire world"<sup>11</sup> [ENDC/PV.365, p. 8].

53. For this reason too, in December 1967 my delegation was among those which sponsored draft resolution A/C.1/L.416 requesting the Eighteen-Nation Committee on Disarmament to submit its report to the General Assembly by 15 March 1968 at the latest, since, as we stated clearly at the time, we thought that by then all possibilities for a general agreement in that Committee would have been exhausted, and that it would be advisable for the First Committee to have as much time as possible to hear the opinions of those States—which numbered 106 then and total 107 now—that had not had a chance to make their views known in the Eighteen-Nation Committee on Disarmament.

54. In application of this criterion, but abiding by the restrictive rule whose usefulness I outlined earlier, we shall confine ourselves today to making three suggestions which are very modest, but which we consider particularly constructive, selecting them as examples among those which, we feel, in the light of consultations with other Latin American delegations, would contribute to strengthening the draft treaty and to mobilizing the widest possible acceptance.

55. The first suggestion is as follows. The draft treaty mentions the General Assembly and the International Atomic Energy Agency in its preamble. However, it contains no reference whatever to the basic instrument of our Organization, namely, the United Nations Charter. To fill this gap, which seems inexplicable, we suggest that, immediately following the first preambular paragraph, a new paragraph should be inserted, the text of which would reproduce almost word for word the provisions of articles 2 (4) and 26 of the Charter, which we consider particularly relevant in view of the subject of the future treaty, and could read as follows:

"Recalling that, in accordance with the Charter of the United Nations, all States shall abstain from resorting to the threat or use of force in their international relations, and that the maintenance of international peace and security shall be promoted with the least possible diversion of the world's human and economic resources towards armaments."

56. Secondly, we suggest that to give greater precision to the meaning we attribute to the first sentence of Article IV, paragraph 2, the concept of access to scientific and technological information referred to in the article should be mentioned explicitly. The phrase in question would then read as follows:

"All the Parties to the Treaty have the right of access to scientific and technological information on the peaceful uses of nuclear energy, and to participate in the fullest possible exchange of such information."

10 ENDC/PV.365 and 374.

11 ENDC/PV.365, para. 13.

57. The last specific suggestion I should like to make is that serious consideration should be given to the advisability of changing the present text of Article V as follows:

(a) That instead of "co-operate to ensure" it should say "take the pertinent action to ensure that";

(b) That the words "in conformity with the Treaty" should be added after "ensure that";

(c) That immediately following this, the words "under appropriate international observation and" should also be added;

(d) That the last sentence of the article should be divided into two sentences drafted so as to indicate very clearly that:

(i) The special international agreement which will undoubtedly have to contain the statute of the "appropriate international body" referred to in the article is to be prepared "as soon as possible";

(ii) Regardless of the procedure considered most effective for preparing the draft of that agreement, it must be approved by a body representing the world community, such as, for example, the General Assembly of the United Nations; and

(iii) The procedure of multilateral assistance shall be mentioned first in the article, without thereby excluding recourse to bilateral procedures.

58. Acceptance of the foregoing suggestions would mean that article V would be drafted as follows:

"Each Party to this Treaty undertakes to take the pertinent action to ensure that, in conformity with the Treaty, under appropriate international observation and through appropriate international procedures, the potential benefits from any peaceful applications of nuclear applications of nuclear explosions will be made available to non-nuclear weapon States Party to this Treaty on a non-discriminatory basis and that the charge to such Parties for the explosive devices used will be as low as possible and exclude any charge for research and development. It is understood that non-nuclear-weapon States Party to this Treaty so desiring may, pursuant to a special agreement or agreements, which shall be approved by the General Assembly of the United Nations as soon as possible, obtain such benefits through an appropriate international body in which non-nuclear States are adequately represented. The States Parties that may so desire may also obtain such benefits subject to special agreements of a bilateral nature."

59. My delegation attaches particular importance to this matter for the reasons which I gave, on behalf of Mexico, in the Eighteen-Nation Committee on Disarmament on 21 February 1967, over a year ago. I said at the time:

"Unless technological progress one day makes it possible to distinguish clearly between nuclear explosives for peaceful and for warlike purposes, it will be necessary to seek a solution which precludes the spread of nuclear weapons and at the same time ensures that States which,

like all the Latin American countries, do not possess them are not deprived of the immense benefits which their economic development might derive from the use of nuclear explosions for peaceful purposes.

"As an immediate remedy, we believe that the possibility should be explored of creating at world level, within one of the existing international organizations such as the United Nations or the International Atomic Energy Agency or independently, a special programme similar to that which already exists for economic development, with the specific aim of helping all States in need of such assistance to carry out on their territories nuclear explosions for peaceful purposes—once it has been shown, of course, that absolutely no danger is involved. With such help those countries would not have to squander their limited resources unnecessarily on manufacturing the essential explosives themselves."<sup>12</sup>

60. A short time later the representatives of the Soviet Union and the United States, in their statements of 14 and 21 March 1967, respectively, declared themselves to be in favour of drawing up a special international agreement, separate from the treaty on non-proliferation, so that non-nuclear-weapon States could use the benefits of nuclear explosions for peaceful purposes.

61. On 14 March 1967, Ambassador Roschin stated:

"The Soviet Union understands the interest of the non-nuclear countries in the use of nuclear energy in the future for implementing such major projects in the field of economic development as may require the carrying-out of nuclear explosions. We firmly maintain the position that an agreement on the non-proliferation of nuclear weapons cannot and should not prevent non-nuclear countries from using nuclear energy for the purposes of peaceful economic development. In doing so we bear in mind that the question of the procedure and conditions governing the carrying-out of nuclear explosions is a separate question that can be settled only on the basis of a separate international agreement."<sup>13</sup>

62. On the twenty-first of the same month, Ambassador Foster said:

"My delegation agrees that this is a separate issue to be settled by a separate agreement. The purpose of my remarks today is to outline briefly the present thinking of the United States on how the sharing of any potential benefits of peaceful nuclear explosions might be organized. We propose the following general principles to deal with this problem."<sup>14</sup>

63. Ambassador Foster then listed a number of principles, of which I shall read only the first two.

"First, if and when peaceful applications of nuclear explosives that are permissible under the test-ban Treaty (ENDC/100/Rev.1) prove technically and economically feasible, nuclear-weapon States should make available to other States nuclear explosive services for peaceful applications. Such a service would consist of performing the desired nuclear detonation under appropriate interna-

<sup>12</sup> ENDC/PV.287, para. 66.

<sup>13</sup> ENDC/PV.293, para. 63.

<sup>14</sup> ENDC/PV.295, and Correction 1, para. 72.

tional observation with the nuclear device remaining under the custody and control of the State which performed the service.

“Second, there should be a means provided for non-nuclear weapon States wishing to do so to request nuclear explosive services from the nuclear-weapon States through an international body in which the non-nuclear weapon States would participate. The international body might consider such matters as the feasibility of requested projects, priority among such requests, and necessary safety precautions. The purpose of these arrangements would be to make clear that, once the participating nuclear Powers are prepared to undertake practical applications of peaceful nuclear explosives, they will not withhold nuclear detonation services to others because of extraneous considerations.”<sup>15</sup>

64. Subsequently, both the co-Chairmen and the representatives of several other members of the Eighteen-Nation Committee on Disarmament, including the United Kingdom, Sweden and Nigeria, also dealt with this question in their statements. However, it was the representative of Canada who dealt with it most thoroughly and extensively. At the 329th meeting of the Committee on 12 September 1967 General Burns, after stressing his country's interest in this matter and mentioning the studies that had been made on it, gave a general outline of what he thought might be the content of the special international agreement which was to be established. In reference to the preamble, the Canadian representative said, *inter alia*:

“There should be a preambular paragraph stating that nuclear Powers are carrying out studies and experiments in the use of nuclear explosives for peaceful purposes such as engineering works, facilitating the exploitation of natural resources and so forth. Another preambular paragraph should emphasize that there is no scientific or technological difference between nuclear explosions for peaceful purposes and those for warlike purposes, and that therefore a country developing and owning nuclear explosive devices would in effect be acquiring nuclear weapons with the consequent ability to use them in war.

“Another preambular paragraph should contain the thought that, if the technology is developed to the point that use of nuclear explosives for peaceful purposes is feasible and economical, nations signatory to a non-proliferation treaty should participate in the benefits of that technology. A further preambular paragraph might recite the recognition of the nuclear Powers that some means to make these benefits available to States not possessing nuclear weapons should be created without at the same time creating the possibility of their acquiring nuclear weapons under cover of peaceful nuclear activities.”<sup>16</sup>

65. Then in reference to the future content of the said treaty, the representative of Canada suggested, among other things, the following points:

“(1) A State not possessing nuclear weapons which desires to carry out a project of an engineering or other nature through the use of nuclear explosives should submit a request to an international agency with

authority to assess and negotiate such projects—possibly the International Atomic Energy Agency—and that international agency would have the responsibility of assessing the practicability and economy of the proposed project and, if it were found feasible and economical, of assisting in negotiations between the applicant State and one or more nuclear Powers.

“(2) The nuclear Powers would agree to provide on request through the specified international authority the explosive devices, technical advice and assistance for the carrying out of nuclear explosions required by non-nuclear States to effect engineering works, exploitation of natural resources or any other use of nuclear explosives for economic development. The charges to such non-nuclear States for the explosive devices used should be as low as possible and exclude any charges for research and development.

“(5) Finally, the nuclear Powers should undertake to make available to non-nuclear States full information in regard to the possibilities for using nuclear explosives for peaceful purposes, as developed in their studies and experiments.”<sup>17</sup>

66. As you will see, in this case all the elements combine to make it highly advisable that we try to prepare and rapidly approve a draft project of an international agreement to fulfil the aim set forth in article V of the draft treaty we now have before us.

67. The interest of the non-nuclear States in having this done is obvious; the nuclear Powers, for their part, explicitly agreed to the conclusion of the agreement a year ago, and it is six months since the representative of Canada submitted to the Eighteen-Nation Committee on Disarmament what may justifiably be considered a rough preliminary draft outline of such an agreement.

68. We do not believe, therefore, that there can be any problem in stating clearly in article V that the respective international agreement shall be approved “as soon as possible”, or in specifying that its approval should be by the General Assembly of the United Nations, since it is that body which must now pronounce on the draft treaty on non-proliferation, with which the future agreement will undoubtedly be linked.

69. As can be seen from what my delegation said on 21 February 1967 at Geneva and which I recalled today, generally speaking, we share the view expressed here last week [*1564th meeting*] by the representative of Sweden, Mrs. Myrdal, with regard to the main functions to be fulfilled by the “appropriate international body” provided for in article V, and also on the need for that body to perform a more important role than that which seems to be contemplated in the present text of this article.

70. That is why my delegation, in the four amendments it submitted to the Eighteen-Nation Committee on Disarmament on 19 September 1967, included one that pursued similar ends. However, since that amendment was not accepted by the co-Chairmen, we now wish to confine ourselves to a much more modest one which, we trust, will be accepted this time, and which may also dispel—at least

<sup>15</sup> *Ibid.*, paras. 73 and 74.

<sup>16</sup> ENDC/PV.329, paras. 20 and 21.

<sup>17</sup> *Ibid.*, para. 22.

to a great extent—the legitimate concern expressed here by the Swedish delegation.

71. I would not wish to conclude this part of my statement without making it perfectly clear that the three suggestions I have just made are obviously not formal amendments which we could consider putting to the vote. However, I should also like to stress our hope that the delegation of the two States which are the main sponsors of the draft treaty will view them sympathetically and in due course include them in a final revision of that draft.

72. I now come to the third and last part of my statement. I shall try to sum up in it the conclusions that can be drawn from a comparison between the Treaty of Tlatelolco—to which several preceding speakers have referred, and the entire text of which appears in annex IV, section 2, of the report before us—and the draft treaty on non-proliferation.

73. I shall begin by stating specifically that, so far as nuclear explosions for peaceful purposes are concerned, we believe there is not, and cannot be, any conflict between article 18 of the Treaty of Tlatelolco and article II of the draft treaty, as long as the provisions of both articles are correctly interpreted.

74. The interpretation of article 18 of the Treaty of Tlatelolco, which Mexico considers to be the correct one, has already been fully stated by my delegation on many occasions and is reproduced in the records of the 287th, 295th, 297th and 374th meetings of the Eighteen-Nation Committee on Disarmament, in the record of the 1504th meeting of that Committee, and in the 1587th plenary meeting of the General Assembly. Basically, our interpretation is the following: we are convinced that paragraph 1 of article 18, as its text unmistakably indicates, is subject to articles 1 and 5 of the said Treaty of Tlatelolco, meaning that, in order for one of the States party to the Treaty to be able to carry out a nuclear explosion for peaceful purposes, that State will first have to prove that such an explosion will not require the use of any nuclear weapons, that is, in accordance with the objective definition given in article 5 of the Treaty, “any device which is capable of releasing nuclear energy in an uncontrolled manner and which has a group of characteristics that are appropriate for use for warlike purposes”.

75. Since the consensus of the experts in the field is that this is impossible at present, the inevitable conclusion must be that the States parties to the treaty could not manufacture or acquire nuclear explosive devices, even though intended for explosions for peaceful purposes, unless and until technological progress makes possible the development of devices for such explosions which could not be employed as nuclear weapons.

76. My delegation places an identical interpretation upon the provisions pertinent to this question in the draft treaty on non-proliferation since, as we said on 6 March 1968 in the Eighteen-Nation Committee on Disarmament, we understand the term “nuclear explosive devices”, as used in the draft and particularly in article II, to be synonymous with “explosive nuclear devices appropriate for use for warlike purposes”. Moreover, this interpretation agrees exactly with that given to those terms by the representative

of the United States, Mr. Foster, at the meeting of the Committee on 14 September 1967, when he said—without eliciting any comment from the other co-Chairman of the Committee, the representative of the Soviet Union, Ambassador Roschin—the following:

“In order to avoid any loop-holes, the draft deals with other nuclear explosive devices just as it does with weapons. This represents no change in policy on our part from earlier United States drafts. We have always felt that nuclear explosive devices which could be used as nuclear weapons should be treated as such, and we so interpreted our earlier drafts. The change in language resulted because others made different interpretations. In any event it is absolutely clear that, if there are to be no loop-holes for the proliferation of nuclear weapons, the treaty cannot permit the proliferation of devices which could be used as nuclear weapons.”<sup>18</sup>

77. Therefore, in this case too, as in that referred to in the Treaty of Tlatelolco, we believe—and in this we share the view expressed by the representative of Japan last Friday [1565th meeting]—that, should devices be discovered tomorrow which could be used in nuclear explosions for peaceful purposes and which could not serve as nuclear weapons, the restrictions on the manufacture or acquisition of such devices as established by article II of the draft, would automatically cease to be applicable.

78. Another conclusion to be drawn from a comparison of the Treaty of Tlatelolco with the draft treaty on non-proliferation, and one of special importance to Mexico—and, we believe, to all the other States signatories of the Treaty of Tlatelolco—is that the special conditions of the region have made it possible to work out a multilateral instrument which, from the standpoint of disarmament and treaty law is undeniably far superior to the draft before us, and much more complete than the latter. To prove the validity of this statement, it suffices to examine some of the main aspects of both instruments side by side.

79. The basic principle of the Treaty of Tlatelolco is that a guarantee must be provided for the total absence of nuclear weapons from Latin America, regardless of the State in whose territory or control such weapons might be found. On the other hand, the draft treaty on non-proliferation is only designed to guarantee that the number of States having nuclear weapons in their territory or control shall not be increased, but without in any way limiting the capacity of the present nuclear Powers to install or emplace nuclear weapons in the territories of other States.

80. With regard to the definition of nuclear weapons, the Treaty of Tlatelolco contains an objective definition of what, for the purposes of that Treaty, shall be understood by “nuclear weapons”. The draft treaty, on the contrary, contains no definition of nuclear weapons.

81. Passing from this to organization, we see that the Treaty of Tlatelolco establishes an autonomous Latin American body known as the “Agency for the Prohibition of Nuclear Weapons in Latin America”, which will have its headquarters in Mexico, and the principal organs of which will be a General Conference, which is to hold regular

<sup>18</sup> ENDC/PV.330, para. 6.

meetings every two years and special ones whenever advisable; a permanent Council; and a Secretariat headed by a Secretary-General.

82. The draft treaty, on the other hand, sets up no body whatsoever, but only provides for a conference five years after the entry into force of the treaty to review its operation, and for the possible convening at five-year intervals of similar meetings for the same purpose.

83. Finally, let us look at the control system. The Treaty of Tlatelolco establishes a very complete control system which, in addition to applying the safeguards of the International Atomic Energy Agency, will include the submission by the Parties to the Latin American organ of half-yearly reports and special reports; it also empowers the Council of the Latin American Agency to carry out special inspections. All the States Parties to the Treaty are equally subject to this control system.

84. In the draft treaty on non-proliferation, the system of control consists solely of the application of the safeguards of the International Atomic Energy Agency to the non-nuclear-weapon States. The nuclear Powers are not subject to any control at all, although in this regard it should be mentioned that the Governments of the United States and the United Kingdom have set an example which certainly deserves to be followed in declaring that they will voluntarily submit their non-military nuclear installations to the inspection of the Vienna Agency.

85. From the brief comparison I have just made, it becomes eminently clear that the system or statute of military denuclearization established in the Treaty of Tlatelolco is, as I said, greatly superior to that contemplated in the draft treaty on non-proliferation. This is perfectly natural, since the exceptionally favourable circumstances existing in Latin America are unfortunately not the same as those prevailing in other parts of the world.

86. It was doubtless for this reason that the General Assembly, in the third paragraph of resolution 2153 A (XXI) of 17 November 1966, called upon—with, it should be emphasized, the affirmative vote of all the nuclear Powers participating in the work of the Disarmament Committee—"all nuclear-weapon Powers to refrain from the use, or the threat of use, of nuclear weapons against States which may conclude treaties of the nature defined in paragraph 2(e) of General Assembly resolution 2028 (XX)", that is, of all those defined in the said paragraph as regional treaties "to ensure the total absence of nuclear weapons in their respective countries", as is the case of the Treaty of Tlatelolco.

87. For this reason also, no doubt, the General Assembly itself, after stating in paragraph 1 of resolution 2286 (XXII) of 5 December 1967, that the Treaty of Tlatelolco "...constitutes an event of historic significance in the efforts to prevent the proliferation of nuclear weapons and to promote international peace and security...", in the fourth paragraph of that resolution invited "...the Powers possessing nuclear weapons to sign and ratify Additional Protocol II of the Treaty as soon as possible."

88. Recalling the foregoing, I believe this is the appropriate time to inform the Committee that the United

Kingdom, in fulfilment of the announcement its representative made in this same room in October of last year [*1508th meeting, para. 15*], signed Additional Protocol II on 20 December 1967, and that the United States did likewise on 1 April of this year. I would also like to take this occasion to express to the Governments of both those countries the great appreciation with which Mexico viewed these two proofs of international co-operation aimed at contributing to the greater effectiveness of the Treaty.

89. Thus, of the nuclear Powers represented in the United Nations at present, only two have yet to sign that Protocol. We trust that their signatures will be added very soon to those already affixed to the instrument by the two States I have just mentioned. In this, our hope is based on the following considerations:

90. On 26 July 1966, the Government of one of those two nuclear Powers officially informed the Preparatory Commission working on the Treaty of Tlatelolco at the time that it viewed with favour all efforts designed to limit the dissemination of nuclear weapons if they reflected the free will of the countries concerned. The Treaty of Tlatelolco meets this requirement in all particulars, since it is the result of a spontaneous, genuine, and exclusively Latin American effort, and is, beyond any doubt, a Treaty which derives from the free will of the countries concerned.

91. The Government of the other nuclear Power that has yet to sign the Protocol has for over three years been reiterating what its own Minister for Foreign Affairs said to the General Assembly on 7 December 1964, namely, that his country

"...considers that, in the interests of strengthening peace and barring the spread of nuclear weapons, not only groups of States embracing whole continents or large geographical regions but also more limited groups of States and even individual countries may assume obligations for the establishment of denuclearized zones. Accordingly, the Soviet Government is prepared to undertake an obligation to respect the status of all denuclearized zones that may be established, if the same obligation is assumed by the other nuclear Powers as well." [*A/5827, p. 7.*]

92. I am about to conclude my statement, and in doing so I should merely like to set forth three final considerations of a general nature.

93. Firstly, Mexico's interest in the treaty on non-proliferation of nuclear weapons in no way affects or lowers the priority of the interest my country assigns to the Treaty on the Prohibition of Nuclear Weapons in Latin America or, as it is called, the Treaty of Tlatelolco, because it is the latter which, in our view—and I venture to say in that of all the other signatories of that Treaty—best meets the needs and interests of the region to which we belong and the wishes of its peoples. Therefore, we must continue in our endeavour, first of all, to promote the urgent adoption of all those measures which tend to strengthen it and ensure its greatest effectiveness.

94. Secondly, we should keep well in mind that the foremost objective of the General Assembly in the question we are discussing should not be the routine approval of just

one more resolution, but to contribute to what the Secretary-General so aptly termed "the successful conclusion" [A/6701/Add.1, para. 14]—and it is the word "successful" that should be particularly emphasized—of the treaty on non-proliferation of nuclear weapons. The responsibility for its achievement rests equally with the delegation of the two main sponsors of the draft treaty and with those of all the other Member States which form this Assembly. From the former, we expect understanding and an open mind; from the latter, moderation and a constructive approach.

95. Our third and final consideration is this: however welcome the conclusion of the treaty may be, its success will ultimately depend on proof by the nuclear-weapon States that they really do consider it a "first step" towards both the adoption of specific disarmament measures, starting with nuclear disarmament, and towards an effective contribution to the development of research, production and utilization of nuclear energy for peaceful purposes in the territories of the non-nuclear-weapon States. Indeed, we must ponder the fact that, to paraphrase the words of the President of Mexico on one occasion, the determination of our peoples to refrain from the use of the incalculable power of the atom for death is matched by their desire to leave all doors open to a better and more effective use of that same invaluable source of energy for life.

96. Mr. PACHACHI (Iraq): Mr. Chairman, first of all may I say how gratified we are to see you once again guiding our work. For us it is a matter of profound satisfaction and pride to see a distinguished son of the Arab nation holding this high and responsible office and discharging his functions with such ability and distinction.

97. Mr. Chairman, in your opening statement nearly three weeks ago [1556th meeting] you described this debate as one of the most crucial and important in the history of the Organization. This assessment has been fully borne out by the seriousness and concern with which speakers have approached the momentous issues before us and the historic decisions we are called upon to take. For nearly ten years now, the General Assembly has focused its attention on the problem of stopping the spread of nuclear weapons. This was in no small measure due to the far-sighted initiative and persevering dedication of the Foreign Minister of Ireland.

98. From the very beginning, there has been virtually unanimous agreement on the desirability and necessity of concluding a treaty on the non-proliferation of nuclear weapons. The universal concern of mankind has been reflected in the resolutions adopted yearly by the General Assembly since 1961, as well as in the numerous decisions and declarations of the African, Latin American and non-aligned countries. In response to those repeated exhortations, the Eighteen-Nation Disarmament Committee has been engaged in difficult and complex negotiations for nearly six years. After many false starts and many frustrating disappointments, those negotiations have produced a draft treaty which will surely go down in history as a significant landmark in the continuing efforts of mankind to control and ultimately remove the dreadful peril of nuclear war which has cast its dark shadow over human existence since that fateful day in August 1945 when

mankind experienced, for the first time, the horrors and terrifying power of nuclear weapons. Even those who have expressed serious reservations on some of the provisions of the draft treaty concede that it represents an important step forward. But we agree that this is not a perfect document—far from it. It is, after all, the result of accommodation and compromise, and, as such, it is bound to have many shortcomings. A major criticism which has been repeatedly made—not without justification, we must admit—is that the draft does not include firm guarantees for eventual nuclear disarmament.

99. A stronger and clearer commitment on nuclear disarmament would have removed some of the hesitations and fears which have been expressed in this debate; but, on the other hand, there is every reason to hope and expect that progress in future disarmament negotiations will be greatly facilitated and expedited in the climate of confidence and trust which would result from the signature and ratification of this treaty.

100. The question of the peaceful uses of nuclear energy has been another major source of disagreement among the participants in the negotiations in Geneva. The dilemma facing the Eighteen-Nation Committee was how to observe scrupulously the primary principle laid down by the General Assembly that there should be no loop-holes in the treaty and at the same time to ensure universal and full use of peaceful nuclear energy.

101. The problem could be resolved only by putting first things first, for the one loop-hole which would have surely made the treaty totally ineffective and meaningless would have been to allow the signatory non-nuclear States to acquire or manufacture nuclear explosive devices.

102. It was necessary, therefore, to close that loop-hole effectively and permanently. It has been argued that such a prohibition would limit the ability of countries, especially developing countries, to use this great source of energy for peaceful economic purposes. But it is our view that this treaty does not ignore this vital problem. In our opinion, it deals with it most effectively and satisfactorily. The treaty lays the foundations of an international system for the distribution of the benefits of nuclear energy to all countries, without discrimination. A developing country like mine, which has neither the technological nor economic resources to undertake without assistance a programme of this kind, finds in such international collaboration the best hope of bringing to our people the great benefits of peaceful nuclear energy.

103. The twin problems of control and vertical proliferation have, over the years, been the most formidable obstacles in the negotiations in the Disarmament Committee. The way in which these problems have been dealt with has given rise to much criticism, in view of the obvious disparity in treatment between nuclear and non-nuclear States, as is clearly evident in the provisions of article III of the treaty relating to safeguards. But this admittedly discriminatory aspect of the treaty is in the very nature of the treaty itself. No one denies that two yardsticks are used and that nuclear weapon monopoly will continue for the time being. The point, however, is that it cannot be otherwise. Complete equality can be achieved only through

nuclear disarmament, and this is not feasible at present. A choice has to be made: should we demand something which is not immediately obtainable and settle for nothing less; or should we accept what the treaty offers now, in the hope of improving it in the future? Can we, in other words, afford to throw away this opportunity, which may very well be the last one, in the hope that something better may somehow be obtained in the foreseeable future, and can we realistically entertain such a hope?

104. As the Foreign Minister of Ireland has said, we have to choose between risks and choose without delay. The choice, in our view, is obvious, and it was this fundamental factor of timing which led my country to sponsor the draft resolution endorsing the treaty, imperfect as it is.

105. The time element is crucial. In our view it is of such urgency and importance that it outweighs all other considerations, including the understandable desire to improve the treaty by clarifying some of its ambiguous provisions and strengthening or expanding the commitments contained in it. The question is simply whether we shall act now or succumb to our hesitations and allow the trend towards world-wide proliferation of nuclear weapons to continue unchecked until it becomes irreversible, with all the catastrophic consequences which that would entail for the future of mankind.

106. We are not entirely convinced by the argument that delay is necessary because the Conference of Non-Nuclear Weapon States will be held this year. In our view, the Conference will greatly benefit from a clear endorsement of the treaty by the General Assembly. The Conference will be able to base its deliberations on solid facts, rather than on theoretical or unrealistic premises. First, the problem of security, which is one of the main items on the agenda of the Conference, will be considered in a new and more encouraging context.

107. Secondly, the Conference can pursue with vigour and a greater sense of urgency the question of regional co-operation for non-proliferation, since the treaty fully guarantees the right of States to co-operate among themselves to prevent the spread of nuclear weapons in their respective regions and territories. This regional approach to disarmament and denuclearization has been one of the most encouraging developments in recent times, and the pioneering work of the Latin American and African States in this field deserves our highest appreciation.

108. Lastly, but perhaps more important for the future, the Conference will be able to concentrate its attention on the ways and means whereby the non-nuclear-weapon countries can avail themselves of the possibilities opened by one treaty for the peaceful uses of nuclear energy. A start could be made on the establishment of an international system for the widest and most equitable distribution of the benefits of nuclear energy for the welfare of mankind.

109. Finally, I come to the problem of the security of non-nuclear States party to the treaty vis-à-vis the nuclear Powers. This is a most important and difficult problem, and we fully understand and appreciate the concern of many States in this connexion. But we cannot agree that only through the acquisition of nuclear weapons can the security

of a country be guaranteed against a hostile nuclear State. We are inclined to agree with the view expressed in the Secretary-General's report that the acquisition of such weapons would make a country more vulnerable and more exposed to nuclear attack.

110. We fully understand the concern which many have expressed with regard to the absence of a firm commitment in the treaty for assistance to non-nuclear-weapon States in case they are subjected to a nuclear attack or the threat thereof. The preference for such a firm treaty undertaking to a joint declaration by some nuclear Powers outside the framework of the treaty is quite understandable; but equally we must not minimize the difficulties which would arise if we insisted that such a contractual binding guarantee be included as an integral part of the treaty. Moreover, it would not be fair to dismiss as an empty gesture the tripartite draft resolution to be presented to the Security Council. That is more than a mere declaration of intent. It may very well be the beginning of a new process which will ultimately lead to strengthening the collective security system envisaged in the Charter. That would be in conformity with the desires of the overwhelming majority of States, which are convinced that their security can best be guaranteed by collective action channelled through an efficiently organized international system. The draft resolution to be submitted by the three nuclear Powers to the Security Council should be considered as a step in that direction, a temporary measure to be later replaced, we hope, by a more credible security guarantee, truly international in character and deriving its inspiration and authority from the Charter of the United Nations.

111. These are the brief observations my delegation wishes to offer at this stage. Let me repeat what the representative of Finland said when he presented the draft resolution, of which my delegation is a co-sponsor: that it is our hope that the General Assembly will act expeditiously in endorsing this draft resolution with the largest majority possible.

112. Mr. BITSIOS (Greece) (*translated from French*): In international conditions in which any evolution towards the better is met by obstacles and serious and often insurmountable conflicts of interest, it is truly comforting to note that some progress is being made on a matter of basic importance to human life.

113. There can be no doubt that the proliferation of nuclear weapons bears within it the seed of ultimate disaster. Much has been said about the dangers inherent in the spread of this type of weapon and the main points were strikingly revealed in the report submitted by the Secretary-General, after consultation with some outstanding scientists, on 10 October 1967 in document A/6858.

114. No one therefore will deny what has today become a world-wide certainty. Nevertheless, it is not enough to recognize a threat, and reason is not a process which leads to the same conclusions everywhere in the world. Thus, in the special case before us, there is a pressing need to set up some system, some arrangement, that can prevent the worst from happening. The treaty on the non-proliferation of nuclear weapons, the draft of which we are now considering, is one of these systems.

115. It is only with great caution that we can reply to the question whether the draft before us really attains the purpose for which it was drawn up, that of averting the potential danger inherent in the proliferation of nuclear weapons. However, taking everything into account, we believe the answer to be in the affirmative.

116. In fact, this treaty will be a new legal instrument which will tend to restrict the vast destructive capability of nuclear weapons by reducing the area of expansion of nuclear military power. Following on the Washington Treaty on the denuclearization of the Antarctic, the Moscow partial test-ban Treaty and the Tlatelolco Treaty on the denuclearization of Latin America, it helps to create a universal awareness of the need for practical measures, embodied in a legal and compulsory system designed to lead mankind away from the nightmare of nuclear holocaust. It is the first auspicious response to the question which has weighted and still weighs so heavily on the attempts being made to achieve general and complete disarmament, namely, the question of supervising the implementation of the measures agreed to. Over and above its psychological value, we believe this fact to be of positive importance in that it shows that the question of supervision is not by its nature insoluble.

117. The projected treaty commits all signatory countries to enter into urgent negotiations with a view to ending the arms race and achieving an agreement on general and complete disarmament under strict and effective international control. It sets up a system designed to limit the possibilities of diversion of peaceful nuclear research to military purposes. While reducing the extent of the possession of nuclear weapons, it recognizes the basic need for developing atomic energy for peaceful purposes. It establishes the nuclear States' obligation to make available to non-nuclear countries the technological knowledge and atomic materials needed to utilize atomic energy for economic and social development. It takes account of the facts of our era and foresees opportunities for improvement and for adaptation to new scientific, technological and political conditions. Lastly, it is accompanied by guarantees designed to take into account the concern the contracting parties feel with regard to their security.

118. Beside the positive aspects of the draft treaty on the non-proliferation of nuclear weapons and of the arrangement for security guarantees included in it, there are also negative aspects. Some delegations have already had occasion to speak of them. We can well understand the problems created for some countries by the fact that the draft treaty does not represent a total solution of the problem both as regards the non-proliferation of nuclear weapons and the possibility of the unrestricted use of atomic energy for peaceful purposes. We also share the concerns of several States regarding the scope and validity of the promised guarantees for their security and the effectiveness of the mechanism for their application. We can understand them when they say that a prohibition of the use of threats, pressure or political blackmail against the non-nuclear Powers should be included in the treaty and not be merely the subject of a simple declaration.

119. Nevertheless, we hope that the clarifications which will be given dispel the ambiguities and doubts that exist at

the present stage in connexion with the scope and content of the guarantees of protection.

120. Yesterday, we were already given some clarifications by the United States representative [*1568th meeting*] which deserve careful study. Representatives of the other nuclear Powers will no doubt revert to this important point. We hope that what they will tell us will be of a nature to dispel the anxieties created by the fact that the draft non-proliferation treaty establishes a nuclear monopoly for a limited number of Powers.

121. In this way, the treaty, along with the guarantees attached to it, will become part of the United Nations Charter framework, and more specifically, of its system of collective security. The history of the twenty-one years that have gone by since the Charter came into effect has shown us how indispensable the strengthening of this system is.

122. For the rest, the Greek Government, having weighed the pros and cons, having compared the importance of the goal envisaged by the treaty with its shortcomings and defects, having taken into account the possibilities for improving its provisions and adapting them to future circumstances, having considered this treaty as a step, albeit preliminary, along the road to nuclear disarmament and to general and complete disarmament, has come to the conclusion that it is in the interest of international peace and security for it to support it.

123. In so doing, my Government has taken note of the statements three of the nuclear Powers have made in this Committee concerning their co-operation with non-nuclear countries in utilizing atomic energy for peaceful purposes. We hope, I repeat, that clarifications on various points raised during the discussion, especially with regard to the guarantees of protection against nuclear aggression or the threat of nuclear aggression, will enable the greatest possible number of countries to adhere to the treaty and by so doing to make it a legally effective international instrument endowed with an incontrovertible moral influence.

124. Before concluding, I should like to pay tribute to the delegation of Ireland, and more particularly to the Deputy Prime Minister and Minister of External Affairs of Ireland, Mr. Aiken, who were the instigators of the action of the General Assembly on the non-proliferation of nuclear weapons. Much time has gone by since the Assembly first discussed the Irish draft resolution; the distance has been long between the starting point and the first effective step towards the goal the Assembly has set for itself. No effort is in vain, however, when its goal is better to ensure the existence of the human race and to deliver it from what oppresses it most, fear.

125. Heartened by all these considerations, the Greek delegation will support the draft resolution submitted by Finland and twenty-five other countries [*A/C.1/L.421/Rev.1 and Add.1 to 3*], in the belief that by voting in favour of this draft it is voting for international peace and security.

126. Mr. URIBE (Chile) (*translated from Spanish*): The subject before us, the non-proliferation of nuclear weapons,

has been and is considered by Chile to be of major importance. We believe it is of outstanding interest both in itself and in that it represents a direct step towards nuclear disarmament and general and complete disarmament.

127. In the recent past, Chile has participated in four instruments containing measures connected with nuclear disarmament, which are of outstanding importance and mark significant milestones in the history of our international relations. In 1959, together with eleven other nations, we signed the Antarctic Treaty, which we subsequently ratified. Some time later, we signed the by now well-known Treaty of Moscow and, after that, the Treaty for the Prohibition of Nuclear Weapons in Latin America, better known as the Treaty of Tlatelolco. At the beginning of last year, Chile signed the Treaty on the Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies [*General Assembly resolution 2222 (XXI), annex*], thereby becoming one of the few countries which have so far had occasion to sign these four important international treaties.

128. Moreover, we might also mention the role played by Chile in the adoption by the General Assembly of important resolutions concerning the non-proliferation of nuclear weapons and general and complete disarmament. We are aware that the achievement of those objectives is still far off, but we believe that, with the active and determined participation of the international community, these aims can become a reality. With this in mind, we have striven to highlight and give importance to the task to be performed in this field by the non-nuclear-weapon States, a task which has partly materialized in the adoption of three resolutions, namely, 2028 (XX), 2153 (XXI) and 2346 (XXII). Later, we participated energetically in the work of the Preparatory Committee for the Conference of Non-Nuclear Weapon States and we shall work with the same zeal when this conference meets in August and September of 1968.

129. My Government has followed with interest the course of the debates of the Eighteen-Nation Committee on Disarmament, which has submitted its report and other documents to us. There, as in this Assembly, a broad spectrum of legitimate views has been expressed with regard to the historic stage we wish to reach. We particularly appreciate the work performed by the two co-Chairmen of that Committee, the United States of America and the Soviet Union, which culminated in the draft treaty on non-proliferation now before us. This agreement represents significant progress in understanding between those two great Powers, primarily in the talks on nuclear disarmament. We hope this framework of understanding will be maintained and broadened and will result in other effective steps or efforts that may lead to nuclear and general and complete disarmament.

130. Non-proliferation is only a collateral measure of nuclear disarmament and, as such, constitutes a limited part of the disarmament picture. This may be a preliminary measure, but we must stress that, for it to be effective, it must be followed shortly by other measures. As we understand it, this is a stage that should in no way hinder the progress and peaceful general development of nuclear energy and should not represent an obstacle to the development of any State.

131. There is a first point that applies to any draft treaty and on which its effectiveness depends. I refer to the maximum acceptability of a treaty; that is, to it being accepted in the General Assembly by countries sufficient in number, significant because of their degree of development, and balanced with regard to their mutual geographic, military and political position. And it should not only be possible for the General Assembly to approve it on these conditions, but also for the countries meeting them to sign it without delay and to ratify it without special advantage to themselves.

132. The sponsors of this draft have tried, with considerable success, to avoid gaps or omissions in this treaty on non-proliferation. However, the coherence of this document will to some extent be impaired by the possibility of important geographic gaps or omissions. Since the treaty, with a few exceptions, cannot basically affect countries not parties to it, its provisions, however appropriate they appear with respect to the countries to which it applies, will lose their coherence if there are gaps between the particular areas of its application. I should also add that the assurances against an aggression or threat of aggression, even if sufficient in both cases, are not sufficient with regard to one basic fact, and that is that, where such an event occurs, it may alter the international relationship between the countries which are parties and those not parties to the treaty—and I refer to the mere possession of nuclear weapons by a country not a party to the treaty.

133. In the international world of today and of the foreseeable future, some cases of possession or control of nuclear weapons—without any threat of using them, let alone actually doing so—may constitute a threat to international stability. Some representatives have already pointed out that it is desirable and even necessary that the treaty be approved, signed and ratified by all or the largest possible number of members of our international community, including those not represented here, as the representative of Italy, Mr. Vinci said [*1565th meeting, para. 112*]; or, at least, and immediately, by all the key countries, which are not only the most highly industrialized today, as the representative of Sweden, Mrs. Myrdal, stated in this debate [*1564th meeting, para. 29*]. In the same constructive spirit, we again stress this need for balance in the membership of the treaty. For some, this need may be a condition, so that an adequate number of important countries, possibly different in each case and not inevitably the potentially quasi-nuclear ones, will confirm the geographic viability of non-proliferation.

134. I said earlier that in some exceptional cases the draft treaty affects even the countries not parties to it. This is basically true—by elimination rather than otherwise—of articles IV and V of the draft which establish a system for the peaceful development of nuclear energy, exchange of information, co-operation and contribution in its application, and obtaining the benefits of peaceful nuclear explosions, all subjects I shall discuss shortly.

135. The system outlined in articles IV and V operates only between the States Parties to the treaty on a basis of non-discrimination among them, except in co-operation which may contribute to the greater development of the uses of nuclear energy for peaceful purposes, in which case

the movement of this co-operation and contribution is from the parties “in a position to do so” especially to “the territories of non-nuclear-weapon States Party to the Treaty”. I shall also return to this point later, but here I think it should be noted that we have to interpret non-discrimination among the parties to mean that the least developed—precisely to avoid a grave imbalance in nuclear progress—should receive not less assistance than those more advanced in this field, but proportionately more. That is how we interpret articles IV and V.

136. We also spoke a while ago of the possible adequacy of the Security Council resolution proposed in the draft by the United States of America, the United Kingdom and the Soviet Union, which contains a commitment to guarantee the security of the countries that accede to the treaty. We would like to suggest that, as the representative of El Salvador put it [1567th meeting, para. 61], we see in this proposal—on the substance of which we are not pronouncing ourselves—a kind of implicit renunciation on the part of its sponsors of the possible use of their respective rights of veto.

137. The initial condition requiring that an acceptable majority of States should accede to the treaty has led a large number of the States here to comment, to single out problems and informally to suggest changes they consider viable. The main aim of those countries—among which Sweden, Italy, Yugoslavia, Ceylon and the Latin American countries have distinguished themselves in varying degrees by the emphasis they laid on the problem—is, if we are not mistaken, to introduce improvements in the text of the treaty that will make it more widely acceptable. Those countries undoubtedly believe that they are thereby seeking a benefit for the international community, and only incidentally for themselves. In the final analysis—and we should put ourselves in that position when we guess at intentions—some of them may hope that the wider acceptance of the treaty may enable them to approve, sign and ratify it.

138. The crucial articles which seem to be the subject of comments and suggestions are, we believe, articles IV and V.

139. What is the interest attaching to those articles? Without claiming that all opinions are the same, we might say that the intention of article IV is to clarify the right of the Parties to access to and participation in the exchange of, information on the subject and, perhaps more strongly, the duty that would devolve upon the States in a position to do so to co-operate and contribute towards greater peaceful nuclear development. To this we would add, as I stated earlier, the possibility of a proportionately greater flow of such co-operation and contributions to the countries that are less developed in this field; this is a natural way of avoiding discrimination among the Parties—which is ruled out by the treaty—for, in the event of such discrimination, far too much might be given to the countries that already have the most.

140. As for article V, concerning which the representative of Sweden repeated in her statement the amendment previously submitted by her country to the Conference of

the Eighteen-Nation Committee on Disarmament<sup>19</sup>—a suggestion also taken up here a few days ago by the representatives of Yugoslavia [1567th meeting, para. 237] and Ceylon [1565th meeting, para. 19]—my delegation sees two plausible courses open to us: either to share Sweden's view, based on a clear criterion with regard to peaceful explosions and also on practical and legal considerations; or else to place the emphasis on the possibility of obtaining, through a special international agreement adopted as quickly as possible by the General Assembly and implemented through an appropriate body, the benefits of any peaceful application of nuclear explosions, as described by the representative of Mexico.

141. Finally, article VIII, paragraph 3, has been the subject of converging wishes and views to the effect that the conferences for reviewing the treaty should be held regularly. This periodicity, on which much has been said, would be justified provided the reviewing conferences, under treaty, would deal specifically with the implementation of articles IV, V and VI of the said treaty. Several countries, including the sponsors of the draft resolution themselves, in order to obtain approval of the treaty, interpret the above-mentioned references in paragraph 3 of article VIII concerning the aims of the reviewing conference—that it should ensure “that the purposes of the Preamble and the provisions of the Treaty are being realized”—as specifically relating to article VI and to the negotiations on the cessation of the nuclear arms race and measures for general and complete disarmament. That interpretation, which seems accurate, would have greater force if it were explicitly mentioned by citing article VI together with articles V and IV. This would make the treaty more acceptable.

142. At the outset of my statement I referred to the Treaty for the Prohibition of Nuclear Weapons in Latin America. The experience of the Latin American countries in this matter, which now engages our attention here, is based precisely on their general participation in that Agreement. The highly important role of the nuclear Powers under that Treaty and its Protocols has enabled Latin America already to give consideration to many of the factors referred to here in defence of the treaty on non-proliferation. That is why we speak with some confidence in suggesting the additions we feel would be viable with regard to this text; and we do so in the present case with the same good faith as that mentioned in article VI with reference to future negotiations in disarmament.

143. It is in this spirit that we strongly advocate the need specifically to enhance the acceptability of the treaty and broaden the international framework within which its signature and ratification would be carried out. We approach this matter with what a French writer termed a geometric mind and also, we should like to think, in an “*esprit de finesse*”.

144. Not to conclude with a quotation in any other language than my mother tongue, allow me to cite a

<sup>19</sup> See *Official Records of the Disarmament Commission, Supplement for 1967 and 1968*, documents DC/230 and Add.1, annex IV sect. 32.

pertinent passage from a statement by the Head of State of Chile:

“In the council of nations, where the future of thousands of millions of human beings is decided, in questions of disarmament, for example, the prerogative belongs only to a few countries which have assumed the right to pass judgement on problems that involve and affect all nations.

“Such a state of affairs has a twofold consequence: it is a major cause of the anarchy in international relations, and it prevents due consideration being given to the interests of the weaker nations, which are also the most numerous.”

145. However, I may add that this council of nations, we firmly believe, is now open.

146. Mr. DE LAIGLESIA (Spain) (*translated from Spanish*): In pursuance of General Assembly resolution 2346 (XXII), we are considering the report of the Conference of the Eighteen-Nation Committee on Disarmament. I wish to take this opportunity to congratulate the members of that Committee, especially its two co-Chairmen, for the considerable effort they have made to carry out punctiliously the mandate they received from the General Assembly. Since the work at Geneva was resumed on 18 January 1968, two new texts of the draft treaty on the non-proliferation of nuclear weapons have been submitted, and a number of questions raised by various members of that Committee have been discussed.

147. I also take this occasion to congratulate the countries signatories of the Treaty of Tlatelolco, which have set the international community an example by making the first practical contribution in the field of non-proliferation of nuclear weapons. We may recall, in the same connexion, the solemn declaration on the denuclearization of Africa by the Assembly of the Heads of State and Government of the Organization of African Unity at their Cairo meeting in July 1964.

148. Since the Spanish Government did not wish to remain dissociated from the work being done at the Conference of the Eighteen-Nation Committee on Disarmament, we have tried, following the example of other States not members of that Committee, to contribute to its work by offering some comments and suggestions<sup>20</sup> concerning the draft submitted on 18 January 1968.

149. In its memorandum, the Spanish Government enumerated the most important aspects of our position with regard to the draft treaty which we had the opportunity to examine at that time. However, we now wish to develop some points of our memorandum, on one hand, and on the other to add to it, drawing the attention of the members of this Committee to certain questions which we believe should be considered in this general debate.

150. The work entrusted to us is of exceptional importance and we all wish to bring it to a successful conclusion, since the effectiveness of the treaty will be in direct proportion to the amount of support it receives from the international community. We know how much effort was

necessary to cover the ground so far covered, and how delicate is the balance embodied in the articles of the draft before us. Nor are we unaware of the importance of the concessions which have had to be made by all concerned in order to draft this document, but we also know what the peaceful development of nuclear energy means to the future of mankind and the possibilities it offers for narrowing the present gap between the living levels of the highly industrialized countries and of the developing countries.

151. Thanks to the splitting of the atom, the deserts may some day be transformed into fertile land and the waters of the sea into drinking water, and it is even within the realm of possibility that nuclear energy may change climates and geographical features. We are at the beginning of a new age and we must keep well in mind that we are legislating for a world that will certainly be very different from the one we know today. We must therefore be sure that the treaty on non-proliferation will be confined exclusively to reducing the risks of a nuclear conflict; and I say “reducing” because so long as atomic arsenals exist in the world which are, as is common knowledge, capable of destroying every trace of life and civilization on earth several times over, mankind will live in a constant state of anxiety.

152. As I had occasion to point out in this Committee on 11 December 1967 [*1546th meeting*] during the debate on the items connected with disarmament, if the contact between the General Assembly and the Eighteen-Nation Committee were closer, our work would now be much easier. Therefore, I think we should study this problem carefully so that it will be possible in the future to eliminate the problems caused by the fact that many countries are unaware of the work being done at Geneva. Actually, for many countries the brief period of a month and a half they have had for studying the documentation before us is too short.

153. One of the questions which my Government did not comment upon in its memorandum was the content of article III dealing with the application of the safeguards system. Nobody here is unaware that this article has been the most controversial point of the draft treaty. Nevertheless, we should like to make a number of observations which are of the greatest importance to my country. With regard to the machinery to be put into operation by the International Atomic Energy Agency (IAEA), we believe that all efforts must be made to prevent discrimination of any kind. Hence it is necessary to bear in mind that, when the treaty enters into force, IAEA will be invested with infinitely greater authority than that which it possesses at present. Accordingly, since the safeguards in the treaty are to be administered by that Agency, its structures will have to be adapted to a situation very different from that which now exists. It must be remembered that IAEA was established at a time when world nuclear development was very different. Therefore, the criterion applied in selecting the Agency's leadership was based on a different balance from that which prevails today.

154. So it is now necessary to work out a formula for the equitable representation of the countries which will in due course have signed and ratified the treaty—at least in those bodies in which they are to share the responsibility for

<sup>20</sup> *Ibid.*, sect. 35.

applying of the safeguards. For this purpose, the Spanish delegation wonders whether it might not be possible to consider the establishment of a committee in which the countries subject to inspection under the treaty would participate and to which the board of governors would delegate all matters relating to such inspection.

155. Although our memorandum has already touched on the problem of the inspection of the peaceful activities of nuclear-weapon countries, we should like to reiterate this point here, since it is one we also consider extremely important and has been referred to by the representatives of a good many countries in their statements. It is obvious that this treaty will consolidate, once and for all, the division of the world into two groups of States: those which possess nuclear weapons, and those which renounce the possibility of acquiring them. Spain firmly believes that the international community must accept non-proliferation, but we think it should be confined exclusively to the military uses of nuclear energy.

156. In its memorandum the Spanish Government mentioned the outstanding importance of the provisions in article IV concerning the right to the fullest possible participation in scientific and technical information on the peaceful uses of nuclear energy. We feel that these provisions should be made more specific, so that the non-nuclear-weapon countries may achieve the greatest possible measure of independence in the development of their technology and thus be able to contribute effectively to the welfare of mankind, in close co-operation with the work being done in this field by the nuclear-weapon Powers.

157. We must try to create conditions in which free competition allows all countries to obtain their supplies for the peaceful uses of atomic energy from the widest possible market in which all nations, whether or not they have nuclear weapons, but which have the appropriate technology, may offer their products on equal terms.

158. Another reason why we think it important to strengthen the text of this article is that it includes potential benefits which the non-nuclear countries Parties to the treaty would receive.

159. With reference to article V, we agree with the suggestion made in this Committee by various delegations to the effect that an international organization which is fully representative should be responsible for authorizing and controlling all nuclear explosions. This would dispel the misgivings of many non-nuclear-weapon countries which do not see in the treaty sufficient evidence that it is intended to reduce the present supremacy with regard to the peaceful uses of nuclear energy.

160. The memorandum my Government submitted to the co-Chairmen of the Eighteen-Nation Committee on Disarmament also referred to the importance of including article VI in the draft. We said there that non-proliferation is not an end in itself, but a stage on the way to the achievement of general and complete disarmament. Hence it is important, in our opinion, that this point should be brought out as clearly as possible in the text of the treaty.

161. It is obvious that the progress so far has been considerable and that a commitment to engage in negotiations is much more binding than a mere statement on the desire to end the arms race and conclude a treaty on general and complete disarmament. Nevertheless, we believe that, if the fate of the treaty were linked to the progress made in connexion with disarmament, the achievements in this field would be much greater. Accordingly, if the mandate entrusted to the first five-yearly conference, provided for in paragraph 3 of article VIII, were made still more specific and enabled countries to review their positions if certain objectives had not been achieved, we are sure that better results could be expected.

162. We have noted with satisfaction that our suggestion regarding the holding of conferences at five-year intervals, mentioned in paragraph 3 of article VIII, has been partly included in the draft of 11 March. But we would have preferred to have these conferences meet automatically, since the need to put an *ad hoc* mechanism into operation in order to convene them is an obstacle which could hinder the very review of the fulfilment of the treaty's objectives that those conferences are meant to carry out. In fact, the prospect of a fixed date for a discussion of the obligations assumed under the treaty would have a much more favourable effect than the possibility of a conference which, in any event, would require complicated diplomatic negotiations in order to be convened.

163. With regard to the ratification procedure, to which my Government attaches great importance, we wish to stress here the advantage of having the treaty enlist the support of a large number of countries, and of the inclusion among them of a sizable number of States at present participating in the development of nuclear energy, either because of their ability to supply raw materials, or because they are incorporating productive elements of an atomic nature in their economies.

164. We believe that sixty non-nuclear ratifying States, that is, less than half the membership of the United Nations, is not too high a figure; by the same token, twelve countries possessing uranium or nuclear-power plants are also less than 50 per cent of the countries in this position. Here it should be explained that we are proposing uranium-producing countries because, in order to bring the treaty into force, it is necessary to count this way on a certain type of countries which, although not yet possessing advanced nuclear technology, may in the future hope to take a place among those which are now distinguished by their considerable atomic development.

165. I now wish to refer to the problem of safeguards. The proposed procedure dissociates the renunciation of nuclear weapons to be made by the non-nuclear-weapon countries from the guarantees which they require, in exchange for this renunciation, so that their security will not be gravely endangered. Actually that renunciation is included in a long-term treaty, whereas the guarantees are part of a system which may be affected at any time by the vicissitudes of the international situation. In this regard, we agree with the views expressed by the Minister for Foreign Affairs of Brazil, Mr. Magalhaes Pinto, when he said:

"The system of guarantees, as incorporated in the draft resolution to be submitted to the Security Council,

creates no commitment or obligation on the part of the nuclear-weapon Powers that is not already in the San Francisco Charter.” [1560th meeting, para. 72.]

166. In conclusion, I should like to stress once again the importance Spain attaches to the rapid conclusion of a treaty on non-proliferation of nuclear weapons. In my Government’s memorandum of 8 February, to which I have already referred frequently, we said in the first paragraph:

“Nuclear energy is one of the aspects of technological progress that can contribute most decisively to the welfare of all countries, but if its use is not controlled, it is also capable of destroying man and his works on earth. Hence it is essential to prevent its use for any but purely peaceful purposes. Accordingly, until such time as nuclear disarmament and the destruction of atom-bomb arsenals are achieved—an objective we cannot lose sight of in the context of general and complete disarmament—a treaty on non-proliferation of nuclear weapons would bring the international community closer to that aim.” [ENDC/219.]

167. In the opinion of my delegation, the debate we are engaged in is of exceptional importance, since it reveals wide support for the aims pursued by the treaty, support which could be extended to a text that would take into account the constructive points made by a good many delegations. We know that the draft treaty is not, and cannot be, perfect, and that it is the outcome of very arduous negotiations, but if any useful purpose is served by these discussions, it is precisely that of allowing us to learn in detail the respective positions of the Members of this Organization. Accordingly, since we consider it essential that the draft resolution [A/C.1/L.421/Rev.1 and Add.1-3] should be supported by the vast majority of countries, it is advisable that we all endeavour to take into consideration the reasonable points of view expressed here, in the knowledge that all mankind will benefit if unanimous support is achieved.

*The meeting rose at 6.10 p.m.*