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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.2 and Add.1-2)**

1. The CHAIRMAN: Before calling on the first speaker I should like to inform the members of the Committee that the Philippines, Bolivia, Barbados, Costa Rica, Colombia, the Dominican Republic, Ecuador, Guatemala, Mexico, Nicaragua, Paraguay, Uruguay and Venezuela have become additional sponsors of the draft resolution contained in document A/C.1/L.421/Rev.2. The number of sponsors is now forty-five.

2. Mr. NABWERA (Kenya): Mr. Chairman, before I proceed to make a brief statement in explanation of our vote, permit me, on behalf of my delegation, to express the shock with which we received the news this morning of the attempted assassination of Senator Robert F. Kennedy. It was with great sorrow that we learned that this great fighter for human rights had become another target of evil forces in this country. Coming so soon after the assassination of Doctor Martin Luther King, this attempt on the life of Senator Kennedy by a gunman is most horrifying.

3. Senator Kennedy's views on race relations enjoy overwhelming support in my country. When he visited Africa not long ago, he spoke frankly and openly against racial oppression. It is his work that has made him the champion of the underdog.

4. I should like, on behalf of my delegation, to convey through the United States delegation our sorrow and grief to his family and relatives. We know how the family feels, and we share their feelings. This is the second tragedy to befall them in a short space of time. Let us hope that Senator Kennedy will recover soon and will be able to continue with the fight for human rights, in which all of us believe.

5. I should now like to make a few remarks in explanation of the vote that my delegation is going to cast on the matter that we have been discussing. When I spoke here nearly a month ago there were a number of imperfections both in the draft treaty and in the supporting draft resolution. I made clear then that we as a country supported the draft treaty in principle, but had reservations. Statements made later by other delegations showed that our apprehensions were in fact shared by many delegations. We have thus been hoping that the architects of the draft treaty and the supporting draft resolution would do something about those apprehensions. We are happy therefore to note that this hope has been fulfilled in the revised versions [A/C.1/L.421/Rev.2 and Add.1-2], although only very partially.

6. Of the changes effected, we welcome the following. First, we welcome the provision in paragraph 2 of article IV of the draft treaty which reads "with due consideration for the needs of the developing areas of the world". Also, we welcome the commitment in article V to make available to non-nuclear States the benefits from the research carried out by nuclear States on the peaceful applications of nuclear energy. Thirdly, we welcome the promise that there will be serious negotiation towards vertical non-proliferation. We would have been happier had the authors of the draft treaty and the sponsors of the draft resolution on which we are going to vote agreed to remove all the points that we and other delegations had objected to.

7. In our earlier statement, we gave prominence to the inadequacy of security guarantees which the nuclear States offered to the non-nuclear States. We particularly tried to alert this Committee to the security situation in Africa. We reminded the Committee of the presence in southern Africa of the Pretoria régime and the Portuguese colonial rule that are publicly hostile to and a living threat to the whole of Africa in general and to the African neighbours in particular. Events that have taken place in southern Africa since our earlier statement here on 7 May [1562nd meeting] have reinforced our apprehensions.

8. In his statement to the Committee, the representative of Pretoria, who spoke after I had spoken, warned that his Government would not accede to this treaty if it were endorsed. My delegation hopes that when the same representative has an opportunity to speak again, his Government will have changed its attitude on the matter. Only last week, Mr. H. Müller, the Foreign Minister of South Africa, uttered threats directed against the Republic of Zambia. Such a development makes it imperative that the security guarantees given under this treaty be positive and unequivocal.

9. In the light of that fact, my delegation is disappointed that the treaty, as modified, still sidesteps this responsibility. It is thus not wholly commendable. My delegation would have supported this partially recast version of the draft treaty with enthusiasm had security guarantees been incorporated in the treaty itself rather than in a separate Security Council resolution. But we hope that when the matter is discussed in the Security Council the security guarantees will be made sufficiently strong to provide security for all of us.

10. We welcome the mitigating paragraph 1 of article X of the draft treaty, which allows a signatory State to withdraw from the treaty should its supreme interests become threatened. This has been one of the main factors influencing my Government in its attitude towards the draft resolution we are now discussing.

11. I should therefore like to state that, on the instructions of my Government and with the reservations I have just expressed, my delegation will support the draft treaty as amended and vote for draft resolution A/C.1/L.421/Rev.2 in the hope that this will lead to negotiations towards vertical non-proliferation and, ultimately, to general and complete disarmament.

12. Mr. TURBAY AYALA (Colombia) (*translated from Spanish*): The delegation of Colombia would also like to take this opportunity to express its sorrow and distress at the grievous attack on the life of Senator Robert F. Kennedy, and to say that we sympathize with the people of the United States and the Kennedy family in their ordeal.

13. A few days ago [1574th meeting] the Colombian delegation repeated in this room its desire to co-operate in the great cause of the non-proliferation of nuclear weapons and the subsequent steps towards general and complete disarmament. On the same occasion, my delegation stated that it would not be going too far to say that the draft treaty on the non-proliferation of nuclear weapons, in the form sent to us from the Eighteen-Nation Committee on Disarmament, undoubtedly represented the results of persistent efforts to promote a rapprochement by three of the five super-Powers, but that it was far from reflecting full agreement between the nuclear and the non-nuclear States.

14. In this regard we would point out here, as many other delegations have done, that it would be helpful if the United States of America and the Soviet Union, as the co-Chairmen of the Conference of the Eighteen-Nation Committee on Disarmament, would take into account the concern expressed by all of us who, from different standpoints, have been striving to achieve the "acceptable balance" between the States which possess nuclear weapons and those which do not.

15. The spokesmen of Latin America have declared through their authorized representatives that this hemisphere's ideal, which is peace and freedom, involves much more than the non-proliferation of nuclear weapons, since our goal can be nothing less than complete and general disarmament under international supervision. Naturally, we are not unaware that this goal is not easily achieved in a single stage, and that it is therefore necessary to encourage

all steps that can be taken towards that end. To us, the treaty on the non-proliferation of nuclear weapons is not the ultimate aim, but a suitable means of reaching it. Of course, we have sought a way of ensuring that that step is taken without prejudicing the interests of the small countries and ensuring that they will be duly protected against certain foreseeable and avoidable risks. That is why we have been concerned with the matter of safeguards to guarantee free access to the sources of nuclear energy and the exchange of scientific and technological information on the peaceful uses of such energy. We have felt that it is fundamental for all States to facilitate access to nuclear energy in the interests of progress which, thus understood, cannot be the monopoly of a few Powers, but must be a common property for the benefit of all mankind.

16. By means of a negotiating committee appointed by the Latin American group and consisting of Mexico, Chile and Colombia, we have established contact with the delegations of the Soviet Union and the United States of America and submitted and explained to them the suggestions of a large majority of the countries of Latin America. After several meetings of this working group, Ambassadors Goldberg and Kuznetsov, with the authorization of their respective Governments, announced their acceptance of a very substantial number of these suggestions submitted by the Latin American countries.

17. Thus, the draft treaty on the non-proliferation of nuclear weapons, which was considered by many to be a sacrosanct document, has been improved by the addition of the suggestions of those who had already anticipated the problem in Tlatelolco when they agreed, without detriment to the scientific and technological progress of their peoples, to the military denuclearization of Latin America.

18. In these new circumstances, created by the revision of the draft treaty, the Colombian delegation does not need to give any further explanations to justify its decision to support it. It is worth mentioning, however, that even though that instrument does not fully reflect the American viewpoint, it does cover an essential part of it.

19. Since, by virtue of the facts I have described, we have indeed participated in the drafting of several provisions of the draft Treaty, and since we are going to vote in favour of it, we can hardly fail to associate ourselves, together with several other Latin American countries, with the sponsors of the draft resolution [A/C.1/L.421/Rev.2 and Add.1 and 2] which commends the treaty on the non-proliferation of nuclear weapons, requests the depositary Governments to open it for signature and ratification, and expresses the hope that it will gain the widest possible acceptance by the nuclear and non-nuclear-weapon States alike.

20. The CHAIRMAN: Before calling on the next speaker on my list, I think I will be interpreting the feelings of the members of the Committee when I say that they concur with the expressions of regret made by the representatives of Kenya and Colombia regarding the regrettable attempt on the life of Senator Kennedy. As the Ambassador of Kenya rightly said, Senator Kennedy is among those who have taken a clear and just position on issues of racial discrimination. I hope that the delegation of the United

States will be able to convey to Senator Kennedy's family our best wishes for him; we wish him an early recovery.

21. Mr. BOTHA (South Africa): My delegation shares the feeling of shock at the dreadful attempt on the life of Senator Kennedy. Our thoughts go out to his family in their hour of trial, and we all look forward to his complete recovery.

22. In my statement of 20 May [*1571st meeting*], I referred to some of the misgivings of the South African Government regarding the possible implications of a number of the provisions of the draft treaty because of uncertainty as to precisely how those provisions would be implemented and how the over-all objectives of the treaty would be attained. A number of clarifications have been given in the course of this debate and elsewhere, and while a somewhat clearer picture has emerged of the treaty in certain of the fields which are of direct concern to South Africa as a major producer of uranium, it has also become apparent that the precise manner of implementation of certain provisions of the treaty can finally be determined only by the International Atomic Energy Agency. Until the Agency itself has pronounced in detail on the manner in which the responsibilities entrusted to it under the treaty will be discharged, there can be no precise definition of the final extent and scope of the obligations which acceptance of the treaty would impose on a non-nuclear-weapon State.

23. In my statement of 20 May, I also said that the South African position on the treaty would be determined only after a detailed study had been undertaken of its provisions as finally opened for signature, and in the light of the relevant safeguards provisions which were decided upon. That statement continues to reflect the position of my Government. The precise safeguards provisions, it is clear, have still to be determined by the International Atomic Energy Agency and, until we know what those provisions are, we obviously will not be in a position to undertake any commitments.

24. Certain other misgivings to which I referred in my earlier statement also remain, pending a more precise determination of how the treaty will work in practice. It is on this understanding that South Africa will be pleased to support the draft resolution as an earnest of our good will and of our whole-hearted support of the objective of non-proliferation.

25. Mr. GHANUS (Afghanistan): The news early this morning that Senator Robert Kennedy had been shot and is critically wounded was received with the utmost shock and disbelief by my delegation. The Afghan delegation would like to join with you, Mr. Chairman, and all the speakers who have preceded me in conveying our deepest sorrow at this tragic event to the United States delegation and, through it, to the United States Government and Senator Kennedy's stricken family. My delegation would also wish to join all others in praying for the speedy and complete recovery of this distinguished American personality.

26. The delegation of Afghanistan is extremely grateful to you, Mr. Chairman, for having given us the opportunity to speak on the draft resolution at present under discussion and briefly to state the considerations which led us to

co-sponsor the text in document A/C.1/L.421/Rev.1 and, subsequently, its revised form in document A/C.1/L.421/Rev.2.

27. After a month of debate and negotiation, it became evident that further improvement of the draft instrument on non-proliferation, desirable as it might have been, was nevertheless not possible at that stage. Bearing in mind the realities of the present state of international relations, we concluded that, in the absence of a perfect treaty, we would have to content ourselves for the time being with the present draft treaty on non-proliferation, which is undoubtedly a step towards disarmament, a step in the right direction. We are of the opinion that the momentum created by the agreement of the leading nuclear Powers on the present joint draft should not be allowed to slacken.

28. By co-sponsoring the draft resolution, we wanted to underscore once again our firm adherence to the principle of non-proliferation.

29. My country has always been a staunch supporter of a treaty which would effectively halt the spread of nuclear weapons. We are of the opinion that the present text, imperfect as it may be, has to a great extent achieved this lofty purpose. The very survival of the human race being at stake, we submit that even limited progress in the field of disarmament deserves our most serious consideration. The universal acceptance of the treaty on non-proliferation being the essential element of its effectiveness, we decided to lend it our support, notwithstanding its imperfections and weaknesses.

30. Bearing in mind the importance of the principle of universality in matters of disarmament we believe, now that further modifications of the draft treaty do not seem possible at this stage, that the widest adherence to it will make up, to some extent, for its shortcomings. I am sure that our co-sponsorship will not be construed as a desire to gloss over the difficulties of the present text or to minimize its imperfections. We have recognized the deficiencies of the draft treaty and we have identified ourselves with the legitimate aspirations and some of the apprehensions voiced in this regard by non-nuclear weapon States during the current debate.

31. As we stated here a few days ago, we firmly believe that the rights and the interests of non-nuclear-weapon States, in this treaty as in any other treaty related to disarmament, should be respected and safeguarded. The delegations of the United States, the Soviet Union and the United Kingdom, in their supplementary remarks, confirmed once again that their joint support, of the treaty and of the proposed draft resolution to the Security Council<sup>1</sup> enhances the security of all nations and should be understood as a commitment aimed at safeguarding the rights and interests of small non-nuclear Powers. We have taken note of this confirmation by the leading nuclear-weapon States permanent members of the Security Council.

32. In connexion with this important and vital question of guarantees, we want to stress once again that it is the

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

responsibility of nuclear-weapon States to devise practical means of strengthening further and in a more adequate manner the security assurances to non-nuclear-weapon States. If the high hopes placed in the present draft treaty on non-proliferation are to be fulfilled, it is essential that this agreement be urgently followed by significant steps of vertical nuclear disarmament.

33. We hope that paragraph 4 of the draft resolution will be interpreted by the nuclear-weapon States as an obligation to agree on further concrete measures of disarmament over and above the provisions of article VI of the present draft treaty.

34. Our belief in the desirability of having a treaty on non-proliferation, incomplete though it may be, transcends the weaknesses of the present draft. In weighing the advantages of the treaty against its shortcomings, we have, in the present circumstances, opted for its approval.

35. Mr. TSURUOKA (Japan) (*translated from French*): I join with you, Mr. Chairman, and with the speakers who have preceded me, in asking the United States delegation to be good enough to transmit to the family of Senator Kennedy the Japanese delegation's hopes for his speedy recovery, as well as its heartfelt sympathy.

*[The speaker continued in English]*

36. On 10 May last [*1565th meeting*], I stated the views of the Japanese Government regarding a treaty on the non-proliferation of nuclear weapons and, in particular, I set forth in some detail our comments on certain specific aspects of the proposed draft treaty to which my Government attaches special importance.

37. The fundamental position of the Japanese Government remains as it has been for some years past. We continue to believe that the early conclusion of an equitable non-proliferation treaty, acceptable to as many countries as possible, should be an important step towards halting the nuclear arms race and achieving nuclear disarmament.

38. We have before us the revised text of the draft treaty [*A/C.1/L.421/Rev.2/Add.1*]. We note that, as a result of the debate in this Committee, some further improvements have been made in the revised text, although still more could be desired.

39. The practical value of this treaty will depend to a large extent on its interpretation and implementation. As regards its interpretation and implementation, we assume that full attention will be paid to the views I expressed on 10 May with regard to, first, the problem of the threat or use of force involving nuclear weapons; second, nuclear disarmament; and third, the peaceful uses of nuclear energy.

40. It is of fundamental importance that the purposes and the provisions of the treaty should be faithfully realized. In this connexion, I should like to stress once again the importance of the periodic review conferences contemplated by the treaty. Indeed, the operation of the treaty must at all stages meet the realities of the moment. If it is found at the review conferences that those realities are not

being met and that the provisions of the treaty as well as its purposes, including nuclear disarmament, are not being fully realized, then I am afraid that States parties to the treaty might be obliged to re-examine its whole value and reconsider their positions.

41. I turn now to revised draft resolution A/C.1/L.421/Rev.2. We recognize that efforts have been made to meet the views of a number of delegations in this revision. There are two specific changes in the revised text which are of particular concern to us. The new sixth paragraph of the preamble affirms that

"...both nuclear-weapon and non-nuclear-weapon States carry the responsibility of acting in accordance with the principles of the United Nations Charter that the sovereign equality of all States shall be respected, that the threat or use of force in international relations shall be refrained from and that international disputes shall be settled by peaceful means".

42. As I have said before, the nuclear-weapon States will be allowed to retain nuclear weapons under the treaty, while the non-nuclear-weapon States will assume the obligation not to acquire such weapons. Therefore, it is evident that the emphasis of this paragraph is placed on the responsibility of the nuclear-weapon States to act in the manner set forth therein. Thus the new paragraph is, indeed, an improvement over the earlier draft of the resolution.

43. With regard to operative paragraph 3 of the revised draft resolution, the words "by both nuclear and non-nuclear-weapon States" have been added to the original language of this paragraph so that, as it now reads, the General Assembly

"Expresses the hope for the widest possible adherence to the Treaty by both nuclear and non-nuclear-weapon States."

I wish to note that this appeal is directed to all nuclear-weapon States and to all non-nuclear-weapon States, regardless of whether they are Member States of the United Nations or not.

44. Although not all the views that I have expressed in the general debate and in private consultations have been accepted, the very urgency of preventing the further spread of nuclear weapons and the importance of achieving nuclear disarmament enable us to support the revised draft resolution. We shall therefore vote in favour of it.

45. Mr. AKWEI (Ghana): In my statement in this Committee on 8 May 1968 [*1563rd meeting*], I indicated broad areas of the non-proliferation treaty on which my Government had serious reservations and its consequent inability to support at that time the draft resolution contained in document A/C.1/L.421/Rev.1 which sought to endorse that treaty. First, the draft treaty as it was then formulated did not deal with the problem of vertical proliferation and, to us, this therefore constituted a serious loop-hole by which the objective of the treaty would be defeated. Secondly, the nature of the security guarantees pledged by the three nuclear-weapon Powers—the United States, the Soviet Union and the United Kingdom—as well as the procedures by which these security guarantees would be implemented



in future did not afford sufficient reassurance and confidence in their efficacy to non-nuclear-weapon States. This would be particularly so in the likely event of a breach of the treaty's provisions by the racist régime of South Africa, even if it signed the treaty, because its defiance of this Organization is well known. Indeed we raised this further question, which still remains unanswered: in the event of non-participation in the treaty by a threatening nuclear South Africa, what would the security guarantees of the treaty mean to countries in our part of the world, in view of the peculiar relations between two of the nuclear guarantors and South Africa? Thirdly, the draft as it then stood did not constitute a positive enough commitment on the part of the nuclear Powers towards further measures in disarmament. Fourthly, the draft appeared to us to discriminate against non-nuclear-weapon States vis-à-vis nuclear-weapon States because of the application of different safeguard systems to their nuclear installations. We also expressed doubts with regard to the peaceful uses of nuclear energy, whether the requisite provisions in the draft treaty would not discriminate against non-nuclear-weapon States vis-à-vis nuclear-weapon States and against some non-nuclear-weapon States vis-à-vis other non-nuclear States. We had other criticisms of the draft treaty as it then stood, but those were our main preoccupations.

46. We have followed very closely the course of the debate in this Committee. We have, equally, participated closely with various delegations which felt as we did with regard to some of the provisions of the treaty and we have been impressed with the serious, constructive, dispassionate manner in which delegations have advanced their different points of view. It became clear during the debate that many other delegations shared most of the reservations and criticisms which were of such concern to the Ghana delegation and, like the Ghana delegation, strongly favoured real improvements to the treaty.

47. Those reservations and criticisms have been the subject of discussion both formally and informally with the nuclear Powers. We have been able, in the process, to appraise some of their own preoccupations and difficulties and their own estimate of the possibilities that might lie open to the United Nations in the field of disarmament if this treaty were to be adopted now. I must say, however, that the major criticisms we had with regard to the original draft treaty—namely, its protection of vertical proliferation, its inadequate security guarantees and its application of discriminatory safeguard systems—remain, despite the new amendments that have now been made to the draft resolution and to the draft treaty. At the same time, however, we consider the amendments which have now been incorporated into the draft treaty and the draft resolution to be a move in the right direction. While we should have preferred a banning of the use of nuclear weapons or at least a clear commitment by the nuclear guarantors never to use these weapons against non-nuclear-weapon States signatory to the treaty, we are gratified that the importance of refraining from the use of nuclear weapons has been more strongly emphasized by the reaffirmation of the Charter principle of pacific solution of all problems. We are equally encouraged that article IV of the original draft has been amended to include a categorical obligation on the part of the nuclear-weapon-States to provide on a non-discriminatory basis technical assistance

to non-nuclear-weapon States in the peaceful uses of nuclear energy. The strengthening of the provisions of the treaty so as to call for a more positive commitment on the part of the nuclear-weapon-States in the field of disarmament can also be accepted as a positive improvement to the treaty. We are gratified also by the spirit of accommodation which these amendments represent. They can serve as a token of the sincerity of the nuclear States in meeting their obligations, for it is only on this basis that the non-nuclear States can repose any trust in the future intentions of the nuclear Powers.

48. In my earlier statement to this Committee, I stated that my Government would have preferred the postponement of the conclusion of the treaty to the twenty-third session, after the Conference of Non-Nuclear-Weapon States. I had argued that at least we should not foreclose all the options offered by a sincere and serious discussion in the First Committee until we had reached the conclusion that there was absolutely no possibility of further changes or amendments to the treaty. It is our conviction that such a debate has taken place and that this debate, together with the continuous contacts and discussions both formal and informal, has yielded some fruitful, although still limited, amendments. It is with the conviction and hope that the adoption of this treaty would facilitate the more important objectives of general and complete disarmament that my delegation would support the revised resolution commending the revised draft treaty. In doing so, we wish to reiterate, however, that we regard this treaty as a step—a step which must necessarily be justified in the foreseeable future both by a settlement of the remaining questions of non-proliferation and by further measures leading to general and complete disarmament. It is with that prospect in view that the Conference of Non-Nuclear-Weapon States scheduled for August-September this year has assumed greater importance for my Government. It is in the light of the same prospect that the first review session relating to the draft treaty on non-proliferation will constitute a most important milestone in the life of this treaty, for if the hope and trust which have been aroused in the non-nuclear-weapon States by the nuclear Powers today are not honoured in the foreseeable future this Organization may come to realize that, rather than helping mankind on the road to peace, it may have taken a very grave decision in compromising our quest for that peace. We should not permit the envisaged review of the non-proliferation treaty to go the same way as the Charter review has gone and become a dead letter.

49. Mrs. MYRDAL (Sweden): I am grateful to have this opportunity to make a statement in explanation of our vote on draft resolution A/C.1/L.421/Rev.2 and Add.1-2. The Swedish delegation will vote in favour of that draft resolution. That is, we shall vote in favour of the General Assembly's commending the non-proliferation treaty in its present revised version and at the same time expressing hope for the widest possible adherence to the treaty and requesting the Eighteen-Nation Committee on Disarmament and the nuclear-weapon States urgently to pursue negotiations on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament.

50. I wish to stress that it is only after a conscientious weighing of the pros and cons that we have arrived at this

decision. The hesitation which my delegation, like so many others, has felt all through the complicated negotiations on this treaty is related to the fact that the treaty as such can be characterized only as a modest step towards nuclear disarmament. The hesitation does not, of course, stem from any lack of conviction about the desirability of contributing to nuclear disarmament. Gradually we have come to the conclusion that the treaty represents "a bridge we must cross before any further progress on disarmament can be made".

51. We have been heartened, furthermore, by the commitments contained both in the text of the treaty itself and in its preamble, as well as in the draft resolution, concerning ensuing negotiations on more decisive measures. We shall expect the Eighteen-Nation Committee on Disarmament to meet shortly in Geneva and to agree at the outset on priorities for its agenda. The Eighteen-Nation Committee has before it several mandates in the form of resolutions passed last autumn by this Assembly.

52. In various interventions during our debate here on the non-proliferation treaty, promising lists of proposals of subjects for further negotiation have been put forward. In this context I find it fitting to recall that a special priority has been given in a number of Assembly resolutions to the item of a comprehensive test ban. This measure has always been in the foreground of Swedish endeavours during the disarmament negotiations; it has taken on an even greater urgency recently with the terrifying escalation in regard to sophistication of the already over-effective instruments of mass killing. For that purpose, evidently, testing is continuing and is even stepped up, despite the fact that all such activity is solemnly condemned by the United Nations General Assembly. My delegation wishes to stress, however, the need for simultaneous strides forward on several measures, concentrating the main efforts—when the issues have become clearer—on items which give the greatest promise for speedy conclusion.

53. This affirmative vote of the Swedish delegation does not in itself commit the Swedish Government to signature and ratification of the treaty. Regular constitutional procedures must follow. Such procedures necessarily take some time. Meanwhile, we expect to register signs of a new momentum in disarmament negotiations.

54. The act of signing the treaty would *per se* not be the decisive cross-road for Sweden in regard to the question of nuclear arms for our own defence purposes. It must have been evident for a considerable time that Sweden has had no intentions of becoming a nuclear-weapon Power. Our adherence to the Moscow partial test-ban Treaty, and further, the establishment of a nuclear energy programme based at present, to the largest extent, on imported and thus controlled fuel, together with a pledge by the Government to accept International Atomic Energy Agency controls on all nuclear activities are important signs in this direction. As late as on 22 May, the Swedish Parliament, independently of the negotiations on the non-proliferation treaty, confirmed that the line of national policy, in the light of present considerations of our security situation, is not to acquire nuclear weapons. This I am happy to be able to report here, having personally returned to Stockholm to participate in that important decision.

55. Finally, I wish to underline that we will carefully watch the action taken by other Governments in relation to the treaty during the coming months. As has been stated many times during this debate, the treaty's importance will largely depend on the signature and ratification of it by certain "key-countries". We do hope that all these countries, whether they are at present represented here in the United Nations or not, are aware of their responsibility towards each other and towards world peace and will proceed to make this endeavour a truly international one.

56. Mr. BERRO (Uruguay) (*translated from Spanish*): Mr. Chairman, as we come to the end of the work of this Committee, we are gratified to draw attention to and applaud the wisdom, skill and independence which you have displayed in guiding our debates.

57. Uruguay, even if it could, does not wish to be, nor should it be a nuclear Power. All it wishes is to participate legitimately in technological and scientific progress in the field of peaceful atomic energy. It seeks to gain access to modern technology on the basis of the principle of the equality of States in sharing the resources which mankind has been creating through this long scientific process that has been characterized by spontaneous and completely free universal co-operation.

58. The use of technical competence should not become a mere instrument for achieving dominance which—as the Ambassador of Malta, Mr. Pardo, pointed out in his masterly discourse on the question of the exclusive reservation for peaceful uses of the sea-bed and the ocean floor and their uses for the benefit of mankind [*1515th meeting, para. 91*—would surpass the colonial scramble of the last century for territory in Africa and Asia.

59. Technology and science by their very nature constitute a universal heritage based on the learning of succeeding civilizations in which the peoples of different latitudes and various races have in the course of thousands of years amassed the incalculable wealth of their successes and errors, triumphs and failures, so as to create, without premeditated schemes, a common store of culture and progress, struggling steadfastly against prejudices, resentment and persecution.

60. Obscurantism and ignorance have cost man's learning and genius many lives. But as those contributions knew no frontiers, neither were any national barriers set up against the new scientific truths, the ecumenical scope of which has made it possible to reach the present stage of science and technology. Because of its bearing on the subject, I shall merely cite the case of Einstein, the precursor of nuclear energy through his theory of relativity, whose eminent status as a citizen of the world can be denied by no one. But despite this, he had to endure the persecution of the Nazis in power who went so far in their racist madness as officially to declare his theories false, besides confiscating his possessions and setting a price on his head.

61. The history of technology is nurtured by the wisdom and sacrifice of all peoples in their struggle to overcome the ignorant subjectivity of prejudice and to consolidate the objective and non-discriminatory reign of science.

62. Apart from these considerations relating to the problems created by control of the atom in the course of its

application for purposes of economic and industrial development, etc., we must solemnly reaffirm the deep concern of Uruguay to avoid any proliferation of nuclear weapons. This concerns us, first and foremost, because of the danger of an atomic catastrophe which continues to beset the world. It also concerns us because it is or may be important to lessen the persistent and acute international tension from which we are suffering.

63. We have had an exceptional debate here. Distinguished colleagues have examined the problem from all angles with a wealth of wisdom, erudition and eloquence. The high level of dialectic displayed on both sides will remain in the annals of the United Nations as a valuable testimony to the grave and conscientious anxiety which has prevailed within the international community to solve this immense problem involving nothing less than the very survival of the human race.

64. We must pay a tribute to the distinguished representatives of the United States, the Soviet Union, and the United Kingdom, the three nuclear Powers of the Eighteen-Nation Committee on Disarmament, for their fruitful, intelligent and vigorous contribution in clarifying the various aspects of the draft treaty concerning which doubts and divergent views have arisen in various quarters. Nor can we overlook the copious memorandum of the Government of Brazil, which opened up new vistas to all those States which had not taken part in the arduous work at Geneva.

65. The position of Uruguay with regard to the substance of this problem was established by our vote in favour of resolution 2028 (XX), which reflected the unanimous will and opinion of the international community, since it was approved by 93 votes, with five abstentions and not a single vote against it.

66. Our country maintains its full support of the five basic principles in paragraph 2 of that resolution. We realize that, until the provisions set forth there are fully implemented, the work of general disarmament and, above all, of nuclear disarmament can be considered only as simple, although necessary stages in a process of evolution towards the real objectives which the international community desires and strives to reach so as to achieve physical peace and peace of mind once and for all.

67. This position of Uruguay, which, as we shall explain later, is in no way inconsistent with our wholehearted support of the various steps of gradual progress called for by the gigantic task of universal disarmament, was endorsed and perhaps strengthened by our vote a few months ago in favour of the Treaty for the Prohibition of Nuclear Weapons in Latin America.

68. Commenting on that occasion on a profound and brilliant speech by the Minister for Foreign Affairs of Brazil, Mr. Magalhães Pinto, and speaking of the inviolable dividing line drawn by the Treaty of Tlatelolco between the use of the atom for purposes of war and for those of peace, we said the following:

“Latin America has said: we want atoms without war, but we want peace with atoms. The inequality which divides us off from the nuclear Powers in the use of the infernal machines they possess concerns us from the point

of view of the general future of mankind; but the inequality which is accentuated daily in the exploitation of atomic energy and of scientific and technological progress applied to economic and industrial development is of vital concern to us because of the stagnation, the vassalage, the backwardness and the poverty it means for our peoples. It would be tragic if the era of colonialism, which is disappearing from the face of the earth, were to reappear in a new form as a result of the technological progress achieved by the great Powers.

“Nuclear neo-colonialism in the economic field must also be banned, and the doors of technology must be thrown open to the developing countries, thus avoiding new causes of disturbance and eliminating new areas of conflict, new misery and wretchedness deriving, paradoxically, from the very fact of man’s scientific progress.” [1509th meeting, paras. 100 and 101.]

69. We believe that the Treaty of Tlatelolco, of which the Under-Secretary for Foreign Affairs of Mexico, Mr. García Robles, was the principal architect, is an exemplary instrument in its legal wisdom, technical precision, sense of reality, and the clear distinction it draws between nuclear energy for war-like purposes and nuclear energy for peaceful uses. In paying a tribute to its authors, and particularly to the distinguished jurist García Robles, we confirm our faith in nuclear disarmament through the application of such principles as those set forth in that historic document.

70. Having established our position on the substance, we shall now try to set forth in detail the meaning, character and aim of the draft treaty on the non-proliferation of nuclear weapons in terms of its original text, through the views expressed by its sponsors themselves and by the other nuclear Power which participated in the work of the Eighteen-Nation Committee on Disarmament. I should mention that the amendments accepted here, despite the notable improvement they made on the original text, do not alter my philosophical, legal and political aim in presenting this brief analysis.

71. The representative of the United Kingdom, Ambassador Mulley, in referring to this treaty, spoke as follows:

“I do not suggest it is perfect. It has been evolved in arduous negotiations and after long discussions in Geneva in which I had the honour to participate and to propose amendments and make suggestions.

“This is not the text I would have written if I could have done it alone, just as it is not the text of any one country or group of countries. Treaties must needs be a consensus. . . .” [1558th meeting, paras. 10 and 11.]

72. He then added:

“We all agree that the non-proliferation treaty is not an end in itself. We all share the intention that it should lead on to other measures to stop the nuclear arms race and to limit and reduce existing stockpiles.” [Ibid., para. 13.]

73. Finally, with rising eloquence, he told us:

“... We see this non-proliferation treaty as a first step in that process. We should, of course, be happy if all those measures”—namely, the aspects not covered by the Geneva instrument—“could be embodied in simultaneous

agreements and implemented together; but there is no one with any experience in this field, certainly no representative here, who thinks that that is within the realm of practical possibility. To ask, therefore, for those additional steps to be taken now, or to delay the non-proliferation treaty because this or that desirable provision is not included, would, in my judgement, be to make the best the enemy of the good.

"The treaty we are working on will not of course solve all problems of arms control or all problems of security; but it is a vitally important and indispensable step on the road to real disarmament." [Ibid., *paras. 17 and 18.*]

74. That eminent jurist, the representative of the United States, Ambassador Goldberg, addressed us as follows:

"Ideally, in a more nearly perfect world, we might have tried to include in this treaty even stronger provisions—even perhaps an actual agreed programme—for ending the nuclear arms race and for nuclear disarmament. But it was generally realized in the Eighteen-Nation Disarmament Committee that, if we were to attempt to achieve agreement on all aspects of disarmament at this time, the negotiating difficulties would be insurmountable and we should end by achieving nothing." [1556th meeting, *para. 69.*]

75. Later on, seeking to dispel the fear that the great nuclear Powers, once the treaty had been accepted, would relax their efforts to control armaments, he emphatically pointed out:

"On the contrary, the treaty itself requires them to intensify these efforts. The conclusion of it will do more than any other step now in prospect to brighten the atmosphere surrounding all our arms control and disarmament negotiations. Conversely, its failure would seriously discourage and complicate those negotiations—especially if the number of nuclear-weapon Powers should increase still further." [Ibid., *para. 72.*]

76. In another passage of his lengthy and profound statement, the distinguished Ambassador of the United States stressed once more that:

"If we insist upon a perfect treaty—each Member with its different ideas of perfection—then we shall be unable to move forward, for there is no perfection in this world." [Ibid., *para. 87.*]

77. The Deputy Minister for Foreign Affairs of the Soviet Union, Mr. Kuznetsov, with the authority of his office and his personal prestige, said:

"No one would deny that it would be best to settle, at one and the same time, all disarmament questions—non-proliferation of nuclear weapons, cessation of manufacture of nuclear weapons, destruction of existing stockpiles, and complete prohibition of nuclear weapons. The Soviet Union would be prepared for such a decision. More than that, it is prepared to accept general and complete disarmament without delay." [Ibid., *para. 108.*]

78. Defining his thoughts even more clearly, the distinguished representative of the Soviet Union went on to say:

"Attempts to link the question of the non-proliferation of nuclear weapons with other measures to curtail the

nuclear arms race and effect disarmament might only result in an impasse, in a situation in which neither the question of non-proliferation nor disarmament questions would be resolved.

"Consequently, it would be wisest now to do that which is now feasible—conclude a treaty on the non-proliferation of nuclear weapons as a separate measure to limit the nuclear arms race, but not stop there.

"The conclusion of a treaty on the non-proliferation of nuclear weapons would not terminate, but urgently and in a spirit of good faith continue, something that has already been begun and has given results beneficial for all." [Ibid., *paras. 109 to 111.*]

79. So far I have pointed out the common ground which emerges from a comparison of the thinking of the three great Powers at Geneva concerning the perfectability of the treaty and its character as a bridge, a link, or an indispensable stage towards the achievement of the final objectives of universal disarmament. We shall now discuss the corollary aspect of the need and urgency of obtaining approval of the draft treaty at the present session of the General Assembly.

80. Many have asked themselves: why, if the draft treaty does not reflect the essential guidelines set forth in resolution 2028 (XX), should we vote upon it without delay, by hook or by crook, instead of subjecting it to detailed study and then including in it, after the Conference of the Non-Nuclear-Weapons States, any revisions and additions that may improve it, so as to make it acceptable to all States without sacrificing their principles, their aspirations, or their legitimate interests?

81. The great Powers, which bear the twofold responsibility of the atom and the veto, give us the answer in clear, direct and unequivocal terms. Ambassador Goldberg, in sober, precise and conclusive words, has warned us:

"Time is not on our side. As we at the United Nations well know, this is a dangerous world with many points of international tension and conflict. Many nations possess the technical expertise necessary to develop nuclear weapons—and in a world without treaty restraints and safeguards they may soon be tempted to do so—notwithstanding the extraordinary drain on their resources which this effort would impose.

"There is a further reason which impels us urgently to endorse this treaty at this very session. At this moment this troubled world needs above all to be reassured that *détente*, rather than discord, will be the prevailing atmosphere in world affairs, in order that other points of conflict may be resolved by the preferred Charter means of negotiated peaceful settlements. The endorsement of this treaty now will be a major contribution to this *détente* and will improve the atmosphere for peaceful settlement of other conflicts, the resolution of which brooks no delay.

"Time indeed is not on our side. Every addition to the number of nuclear-weapon Powers will multiply once again the difficulties of stopping this step-by-step proliferation. The longer we wait, the more difficult our task will become—until perhaps a day arrives when it will have become impossible.



"We must master our fate—or fate will master us.

"My country is deeply convinced that this treaty will accomplish its great purposes—if we act in time. The immediate necessity is that we should take the next step—the endorsement of the treaty by the General Assembly at this session. In this resumed session, as I said at the beginning of my statement, we stand at an historic point of decision." [1556th meeting, paras. 82 to 86.]

82. And he concluded with a serious admonition:

"... It is a point at which we cannot stand still, for events will not permit us to stand still. From this point we must move either forwards or back." [Ibid., para. 86.]

83. The Deputy Minister for Foreign Affairs of the Soviet Union, Mr. Kuznetsov, in turn, speaking with his habitual lucidity and eloquence, stressed the imperative need for the treaty as follows:

"There are several basic facts because of which the non-proliferation of nuclear weapons is not merely an important problem but one whose solution must not be postponed. One of these facts is that even now a number of States which do not yet have nuclear weapons are rapidly approaching a level of industrial, scientific and technical development at which they will be able to produce weapons of mass destruction. Consequently, unless this process is halted here and now, nuclear weapons will spread irresistibly, as though in a chain reaction. And the Governments of those States which are now pursuing or have recently pursued aggressive policies are the ones most eager to enter the nuclear arms race. There are such States in Europe, and also in other parts of the world. Unless we stop the further spread of nuclear weapons, they will be the first to lay their hands on it." [Ibid., para. 95.]

84. And in another passage of his categorical statement he warns us that the arms race can only be halted if this treaty is approved.

85. The United Kingdom, the third nuclear Power present at Geneva, also spoke through its authorized and highly esteemed representative, Mr. Mulley, who stated quite frankly:

"We meet against a background of a world in tension, at a time when the development of anti-ballistic missiles threatens an increased impetus to the nuclear arms race, not its cessation. It is a responsibility for all of us to do what we can to abate the temperature; but it is, of course, particularly a responsibility for the two major nuclear Powers, the two co-Chairmen of the Eighteen-Nation Disarmament Committee." [1558th meeting, para. 14.]

86. He then clarified his position with these prophetic words:

"Failure to get a treaty now could damage or even destroy the mutual confidence established between East and West which is an essential ingredient to solving our problems." [Ibid., para. 22.]

He was referring, of course, to general disarmament and world peace.

87. We wished to compare these statements of the United States, the Soviet Union and the United Kingdom regarding the perfectibility of the draft treaty with its *ad hoc* character as a mere step towards more complete and definitive structures and regarding the imperative and immediate need to adopt it at this session of the General Assembly, not only to demonstrate the full agreement between the three great nuclear Powers at Geneva, but also to stress the appeal to responsibility of such categorical statements with regard to all members of the international community, because we anticipate that any armed conflict or local war may be turned into atomic extermination if the draft treaty is not adopted immediately.

88. Thus the problem becomes a grave dilemma: either the General Assembly adopts the document on horizontal non-proliferation, opening the door to definitive disarmament, or the world will continue to live in the terrible uncertainty regarding peace and the unity of power which serves as the basis of the United Nations Charter, with the resulting danger of wars, including nuclear ones.

89. We seem to be faced by revered situations. Those who call for the treaty are precisely the great Powers. It is they who have the nuclear weapons. It is they, also, who have the responsibility for peace or war, under the San Francisco Charter which placed the legal nuclear weapon, the veto, in their hands. In a world organized on the basis of the unity of power of the great Powers, it becomes logical—within the illogic of the system itself—that many ideals and aspirations should be postponed as a sacrifice to that final peace which we are still awaiting with sorrow and anxiety.

90. Westphalia, Utrecht, Vienna and Versailles are the landmarks of an international community organized on the principle of the balance of power.

"After the Second World War"—observed Dardo Regules—"the Organization replaced the balance of power by unity of power. And the Charter reflects the aim of organizing the unity of power so as to ensure peace. The Charter of the United Nations organizes the unity of the sole victors over a world levelled down to enforced and total disarmament."

And the distinguished Uruguayan jurist added:

"The way in which the question of the Security Council was settled demonstrates that the problem of security decidedly prevailed over the legal problem of the international community. What was sought was to establish security through organized force."

91. My referring back to these antecedents is very closely linked to the problem confronting us today. The draft treaty on non-proliferation centres around the four great veto-wielding Powers which are, in turn, the four great atomic Powers. It matters little that one of them did not attend the Geneva deliberations.

92. What is certain is that in 1945, as in 1968, we were confronted by the same problem of security through organized force. I quote from the report of the Committee on International Affairs of the Senate of Uruguay the following revealing passage in reference to the San Francisco Charter:

"Within this context of necessity and security, the five victorious Powers must work towards the responsibility

of unity. If that unity is broken, the Organization will collapse. Will unity be maintained? Unity will always be the task of wise world co-operation with the political wisdom of the leaders of the new Organization, since it is necessary to maintain unity among five Powers whose peoples have a different geographic distribution, different interests and different social cultures. Naturally, the San Francisco Charter entrusted the fate of the Organization to the unity of the five great Powers, before those five great Powers had achieved unity among themselves as regards the great struggles for influence left by the war on a devastated world. Atlee stated: 'The failure of the great Powers to arrive at an understanding and act together will spell the doom of the Organization.'"

93. These concepts, expressed more than twenty-two years ago in the Parliament of my country, are the same as those now invoked by the representatives of the United States, the Soviet Union and the United Kingdom to urge the members of the international community to subscribe to the Geneva treaty.

94. In 1945, on the basis of that same reasoning, we signed the San Francisco Charter, accepting at that time, as an urgent necessity, the anti-egalitarian requirement of the veto.

"Forced to decide"—Belaúnde said—"between a Charter with the veto and the failure of the Conference, between an Organization with defects and the absolute lack of it, the delegation of Peru, following the maxim of scholastic prudence, had to choose the lesser evil."<sup>2</sup>

The intellectual and psychological picture today is exactly the same as it was twenty-two years ago.

95. The improvement of the international community through law must either be stopped or held back in certain fundamental aspects, or at least be delayed, in favour of a slow and involved evolution bound up with political interests of the great Powers which may be very respectable, but which are ultimately undermining the freedom of those Powers themselves, since they find themselves limited in their actions by the excessive weight of the duties and responsibilities incumbent upon them—duties and responsibilities, moreover, which generally appear in the eyes of the world as privileges, prerogatives or advantages.

96. The clarifications given in this debate by Mr. Goldberg, Mr. Kuznetsov and Mr. Mulley confirm the existence of barriers contrary to their own will, in the sense that they are unable to advance, as they would wish, on the road to vertical nuclear disarmament because of practical circumstances of a political nature which hinder the adoption of broader, more effective and more far-reaching measures.

97. Be that as it may, however, it is the countries which are the leaders of the international community, the masters of the atom and the veto, which warn us, with serene and profound conviction, that the time to act is, almost miraculously, today; that tomorrow may be too late and that we may even lose the opportunity forever.

98. Can we, for the sake of absolute perfection—the achievement of which is also promised us at a stage in the near future—sacrifice the achievement of sure, if incomplete, progress along the very same road which we will inevitably have to follow in order to reach our goal?

99. The late President of Uruguay and eminent jurist, Professor Amézaga, said in his message to Parliament requesting legislative ratification of the San Francisco Charter in August 1945:

"The frightful spectacle of two world wars in the very brief span of just over thirty years, with their miseries and ravages and their aftermaths of deep moral and economic upheavals, added to the impressive destructive power achieved by the latest weapons, have firmly convinced all of us that Western civilization could not survive another conflict. This realistic premise is the keynote of the diplomacy of the new post-war period, and sheds light on the course and results of the San Francisco Conference, at which any other consideration was outweighed by the categorical imperative of reaching an agreement on fundamental points, even at the expense of powerful national interests or of aspirations for better things, as was the case of Uruguay."

100. Endorsing this view, I quote the following paragraph from the Report of the relevant Committee of the Uruguayan Senate:

"We must also consider that the Charter of the United Nations is neither an academic arrangement on international co-existence nor is it the final and inalterable statute which gives us the definitive miracle of a legal order. We must affirm and understand that this is a stage—and only a stage—in the progressive development of law."

101. If any more reasons are still needed to win us over to the argument for a process by stages, without giving up or weakening our basic positions, I might quote Irureta Goyena, one of the figures most respected for his talent, wisdom and eloquence not only in Uruguay but in all intellectual circles of America:

"Perfection, in both nature and history, but above all in politics, is attained by degrees, progressively, through conventions and adjustments to circumstances which continually refine the process and approach the ideal. To quote Sismondi's noble and weighty words: 'We can never rely with certainty on even the best-founded theories to dispose of an immediate ill with the assurance that the result will be a future good.' Perhaps the Academy has no worse enemy than the punctiliousness of academicians, ideology than the orthodoxy of ideologists, or reason than the intransigence of reasoners. 'Show yourselves' Jefferson said to his French friends in the preliminary phases of the great revolutionary epic 'radical in principles and moderate in their application'."

102. The philosopher Vaz Ferreira, in his books *Living Logic* and *Éthics for Intellectuals*, examines with acuteness and sagacity the paralogism that obscures reasoning and hampers man's actions in his struggle to achieve perfection in the face of the obstacles reality places in the way of that desideratum.

<sup>2</sup> Victor Andrés Belaúnde, *20 Años de Naciones Unidas*, Madrid, Ediciones Cultura Hispanica, 1966, p. 16.

103. In international relations we are beset daily by this struggle between ideals and practical circumstances, between the rigidity of the law and the supple realism of politics. Every day we encounter these crises of conscience and conflicts of duties which force us to weigh virtues and defects, advantages and disadvantages, and then choose as solutions the lesser evils, or those that seem more compatible with the ideal sought and the difficulties raised by the circumstances of the movement. Faced with the great problems of the world, it is very difficult to define one's attitude according to strict criteria or intransigent idealism. Moreover, it is very difficult to impose the best solutions in a single stroke.

104. To sum up, combining all the factors involved—the ideal of perfection, the political circumstances, the pressing need and the urgency that brooks no delay—Uruguay will vote in favour of the revised draft [A/C.1/L.421/Rev.2 and Add.1 and 2], in the absolute certainty that it is not abdicating its principles nor weakening its substantive position.

105. Uruguay has worked with determination to achieve the unity of the Latin American group regarding a revised text which might overcome the objections raised by Brazil and Argentina [1572nd meeting]. The statements of the Minister for Foreign Affairs of Brazil, Mr. Magalhães Pinto, to which I referred earlier with justifiable praise, and of the gifted and distinguished expert on international affairs, Professor José Maria Ruda, which was a contribution of high legal value, made a deep impression on our minds, leading us to promote an understanding which would enable Latin America to present a united front of solidarity, remove obstacles and bring about a rapprochement of positions, in spite of the categorical rigidity of the position expressed by both those countries.

106. The talent, wisdom and experience of Mr. García Robles, however, helped to rally the group to accepting a working document containing the maximum that was feasible, in the light of the intransigence of the great Powers concerning the untouchability of the text prepared in Geneva. Nothing could be altered. It was a compromise text which covered the few common points of agreement and excluded the many discrepancies. The margin for negotiation was nil. And before such a dark prospect, Brazil and Argentina persisted in their position, recognizing, however, that the Mexican proposal, broadened in scope by two happy suggestions made by Chile, would considerably improve the original Geneva document. I feel it is in order here to recall the devoted and tenacious efforts of Mr. García Robles, Mr. Piñera and Mr. Turbay. Just as the official debate on the question was about to bend, the eagerly desired reaction by the sponsors of the draft treaty occurred; they submitted a new revised text which to a large extent reflected the political philosophy and legal spirit of America and affirmed more clearly the just desire of all non-nuclear-weapon countries for a better definition of their rights to nuclear energy for peaceful purposes. The great Powers had thus given a fine example of good sense and judgement.

107. It would be superfluous and redundant for me to repeat the nature, meaning and scope of the revisions incorporated in the new document A/C.1/L.421/Rev.2 and

Add.1 and 2, which also includes an interesting suggestion by the distinguished representative of Italy, Ambassador Piero Vinci. The explanations given in this room with his usual masterly skill by Mr. García Robles, and the shrewd and apt comments of the eminent jurist, Ambassador Goldberg, make it unnecessary for us to stress this aspect, notwithstanding its exceptional importance and its significant repercussions on the fate of the treaty.

108. The delegation of Uruguay will confine itself to saying that the new legal tenor of the revised instrument should serve to make the international community set aside its objections and accept it without misgivings or suspicion, as a step forward along the road to nuclear disarmament and general and complete disarmament.

109. It is no longer appropriate to view the treaty as a legal instrument. Rather, we should judge it as a political fact, an historic event of world-wide significance. Moreover, it must be set in the broad context of a troubled mankind clamouring for peace in the midst of interminable local wars, which must certainly hail, as an unequivocal token of security and sign of faith and hope, this miraculous agreement between the East and West endorsed by solemn declarations that they will unwaveringly pursue the common task of general and complete disarmament, banishing forever the spectre of nuclear extermination.

110. We know that the contents of the treaty do not refer specifically to the non-proliferation of nuclear weapons, but to the non-proliferation of nuclear States. However, we know that by voting in favour of it we will be setting out on the road to vertical non-proliferation, in accordance with the eighth, eleventh and twelfth paragraphs of the preamble and the solemn declarations that reflect the spirit and will of its sponsors. Thus, we should ultimately attach to them the value of an authentic legal interpretation, both in the light of the logical method of interpretation based on the current and common meaning of the text—including, of course, the preambular paragraphs which also form part of the organic and indivisible whole of the treaty—and as meeting the criterion of the "intent of the parties", particularly in this case, which would call for the application of the *non preferentem* clause, amply anticipated as it has been by those who drafted the document themselves when, in all frankness, they clarified the meaning and scope of their obligations.

111. We shall vote in favour of the draft in the conviction that we are fulfilling an international duty imposed by an urgent need. "All idealism in the face of necessity is an illusion", cried Nietzsche in his masterly *Ecce Homo*. And Horace's words echo from remote antiquity: "*Nihil est ab omni. Parte beatum*" (Nothing exists as a whole. Blessed is the part).

112. Nor is the old line of Tirso de Molina, whose philosophical roots may have helped to keep it fresh in my memory, alien to my psychological position. It says: "If perfect in everything, it would be more than human."

113. You need not be surprised that I am concluding my statement by citing poets. I have followed the example of Ambassadors Goldberg and Mulley, who crowned their eloquent statements with poetic excerpts from William

Shakespeare. From the depths of my Latin soul, I too shall pay tribute to the immense Anglo-Saxon genius whose world standing identifies him and makes him one with all races. I shall quote a line from Shakespeare's *Hamlet*, which fits the argument advanced by the representatives of the United States and the United Kingdom very well: "For goodness, growing to a pleurisy, dies in his own too much." Which, in plain Spanish means: "*La perfección llevada al exceso, muere de plétora.*"

114. On 26 August 1913, Reneke de Marees van Swinderen, ended his speech inaugurating the Peace Palace at The Hague with the following words:

"This building will justify its lofty name so long as we are careful not to let our dreams and illusions exceed the limits of what is humanly possible and achievable."

115. Mr. RAKOTOMALALA (Madagascar) (*translated from French*): Mr. Chairman, I should like first of all to thank you for having expressed on behalf of all of us the shock we experienced upon learning of the cowardly attack committed against Senator Kennedy. We join with you in your wishes for his speedy and complete recovery.

116. With regard to the draft resolution before the Committee, my delegation has already stated its views at length, and I will not go over them again. In particular, we stressed our feeling that it was necessary to promote the use of nuclear energy for peaceful purposes. The amendments proposed satisfy the concern expressed not only by my delegation but by a great number of other non-nuclear States as well and give a new perspective to the original draft.

117. My delegation expressed the opinion that it would be desirable to enable non-nuclear States to examine the serious problems presented by the present draft resolution in better perspective and therefore to provide them with more time. This opinion does not seem to have gained sufficient support. For the present, therefore, we shall refrain from proposing it formally.

118. On the other hand, it seemed to us that the proposed measures, though they did provide for the slowing down of horizontal proliferation, did not sufficiently stress the need for slowing down vertical proliferation. But we are not losing sight of essentials. For the first time, the large nuclear Powers have in all good faith reached an agreement which bodes well for future forward steps towards general, total and controlled disarmament.

119. For all these reasons, my delegation has decided to request its Government's authorization to vote in favour of the draft resolution before us, with, of course, the improvements which may be made, particularly by the African and Asian States who are most directly concerned with this problem.

120. May our vote here lead to a new stage which will enable us to use nuclear energy not for dealing death, but for peaceful purposes which will make life less difficult and promote the peaceful development of all countries! Finally, may the decision we take become for anguished mankind the harbinger of a new dawn of peace, security and brotherhood!

121. Mr. SOLOMON (Trinidad and Tobago): Mr. Chairman, since this is the first time that the Trinidad and Tobago delegation has intervened in this debate, I feel that I cannot begin without taking the opportunity of saying how much my delegation has appreciated and is satisfied with your distinguished chairmanship of our Committee. In presiding over our discussions, you have exercised both wisdom and impartiality and we have been fortunate in having at our service a Chairman whose diplomatic experience has been so long and so varied. May I, therefore, Sir, express to you my delegation's congratulations on your excellent Chairmanship to date, and our absolute confidence in its continued excellence to the end of our deliberations.

122. My delegation has not spoken in the general debate on this so very important subject because we felt that a contribution from us at an earlier time would have been premature. Until now we have been reluctant to express a formal opinion on the draft treaty for the non-proliferation of nuclear weapons which has been offered to us for our approval. The draft, as originally presented by the Co-Chairmen of the Eighteen-Nation Committee on Disarmament,<sup>3</sup> did not represent to us a satisfactory solution to a difficult and complex problem, and we did not believe that the realities of private bilateral relations between the two nuclear super-Powers imposed upon them such restraints as would render them inflexible in negotiating with others. We could not believe that two nations of such wisdom, power and responsibility could have no choice but to accept for themselves and to present to us for our approbation a draft treaty which was defective in so many areas and in its essence so demonstrably inequitable.

123. That is not to say that we have for one moment entertained the thought that the super-Powers did not have very genuine difficulties to resolve between themselves; nor is it to depreciate the importance of their achievement represented by this awkward, fumbling but well-meaning step towards reducing the possibility of nuclear war. Nor have we permitted ourselves to suspect the good faith of the co-Chairman by yielding to the temptation of believing that their presentation to us of this draft for urgent approval was nothing more than a crude attempt at "big stick" diplomacy. On the contrary, we accept at their word everything the big Powers and their allies have offered to us as justification for the urgency with which they have requested acceptance of their draft without modification. However, we were never convinced that they were right in saying that the agreement among themselves was so fragile and so precariously balanced that to disturb it in any way would be to risk the destruction of the possibility of any treaty at all. We felt, on the contrary, that, having come so far, at so great an effort, to agree among themselves, it would cost them relatively little more to take together, in the same direction, those few steps which the non-nuclear world required of them for whole-hearted approval. Now some of those necessary steps have been taken, and we are, quite frankly, relieved that we can approve with some warmth a treaty which, in all likelihood, we should have found it necessary to approve anyway, but with a great deal of coldness. My delegation, therefore, will be pleased, when the time comes, to welcome the draft resolution before us

<sup>3</sup> Official Records of the Disarmament Commission, Supplement for 1967 and 1968, document DC/230 and Add.1, annex I.



[A/C.1/L.421/Rev.2 and Add.1-2] with an affirmative vote; but we do not co-sponsor it, because in all honesty we cannot take responsibility for the authorship of a treaty which still leaves us dissatisfied in certain essential areas.

124. Our first point of dissatisfaction has to do with the inequity in the balance of security guarantees which the treaty offers. By signing this treaty, a non-nuclear State guarantees that, for the duration of the treaty, it will never be in a position to threaten the use of or to use nuclear weapons against a nuclear State, or for that matter against anybody at all, either from its own resources or by way of assistance from another Power. That, of course, is highly desirable and, for our part, we have no difficulty in committing ourselves in that way. As a matter of elementary reciprocity, however, we find that it is eminently reasonable that States, particularly those with real potential for the development of nuclear weapons, should demand of those that already have them a clear and legally binding undertaking that nuclear weapons will never be used against themselves. So we can only regret the unwillingness of the nuclear Powers to commit themselves not to use their horrible weapons against at least those of us that are willing to commit ourselves never to acquire them. Could they have found the magnanimity to give that undertaking, they might have found thereafter that it involved a far shorter stride than they might believe to reach the point where they could exchange undertakings not to use their weapons against each other.

125. Our second point of dissatisfaction lies in the refusal of the nuclear Powers to give a guarantee to non-nuclear Powers of immediate protection in the event of attack or threat of attack involving nuclear weapons from any source. That is all the more important because two of the five nuclear Powers have indicated that they do not intend to sign the treaty, and the only deterrent against possible aggressive tendencies on their part with regard to non-nuclear States is the sure knowledge that instant reprisals would be forthcoming. It is unfortunate that this guarantee should be necessary, but we know only too well from past experience that it is this "balance of terror" which has so far kept the world out of nuclear war.

126. Nevertheless, we welcome, for what it is worth, the reference in the final preambular paragraph to the Charter obligations of Member States, but we do not consider that a statement of intent with regard to the Security Council is an adequate safeguard against attack. Again, we know only too well that a single veto can reduce to impotence any resolution before that body.

127. We regret the failure of the nuclear Powers to commit themselves in legally binding terms to an undertaking to arrest so-called vertical proliferation. The non-proliferation treaty attempts to freeze the status quo with respect to the horizontal proliferation of nuclear weapons. Those States which do not possess nuclear weapons at this time are prepared to concede to the nuclear-weapon States an absolute monopoly over the possession of nuclear weapons, because we feel that to grant this is a constructive step towards liberating the world from the menace of nuclear war. By way of reciprocity, we would ask only the explicit undertaking of the nuclear States to refrain from augmenting their nuclear stockpiles. We grant them the

monopoly but, in return, we ask that its substance be not quantitatively or qualitatively increased. An amendment to article VI of the draft treaty appropriate for that purpose was expressly proposed to the nuclear Powers and categorically rejected. We find it difficult to understand this reluctance, when it has been made plain that both super-Powers already possess nuclear weapons sufficient to destroy the entire world several times over and that both of them possess second-strike capabilities. Nevertheless we permit ourselves to hope that the matter will not end here and that the vague undertaking offered by article VI will, when the international climate permits, mature into clear, hard commitments.

128. Far more satisfactory are the recent amendments to articles IV and V, which relate to participation in the benefits of nuclear information, material and technology for peaceful purposes. We are happy to note that negotiations on this subject will commence as soon as possible after the treaty enters into force.

129. Finally, there is this possibility that worries us: that the means for the creation of nuclear power and nuclear weapons might escape from the exclusive control of responsible governments into the hands of large private corporations which, uninhibited either by the terms of this treaty or by a sense of responsibility towards the international community, might seek to proliferate their wares for profit wherever a market beckons. We should have wished this treaty to take cognizance of that undesirable possibility and to provide against it.

130. Let me say in conclusion that, despite the defects in this treaty, the people of my country, as a people with no hostile ambitions or military aspirations whatsoever, welcome the relief, however marginal, from the fear of nuclear liquidation which this treaty offers, and we welcome even more the indications of a further lessening of tension between the nuclear Powers which the entry into force of this treaty would promise. As a State which is not only peace-loving but keenly concerned with matters affecting its own physical survival, we know that it is our responsibility to vote in favour of this draft resolution, and this we shall do.

131. Mr. FISHER (United States of America): Mr. Chairman, on behalf of the United States, I should like to record our appreciation of the feelings of shock, grief and sorrow expressed by you and by others who have spoken this afternoon over the assassination attempt made upon the life of Senator Kennedy, as well as for the expressions of sympathy and of hopes for his speedy recovery. The United States delegation will, of course, convey these expressions to Senator Kennedy's family.

132. I think it would be appropriate to read to the Committee a statement issued by the President of the United States at six o'clock this morning after he was advised of this terrible act of violence:

"There are no words equal to the horror of this tragedy. Our thoughts and our prayers are with Senator Kennedy, his family and the other victims. All America prays for his recovery. We also pray that divisiveness and violence be driven from the hearts of men everywhere."

*The meeting rose at 5.15 p.m.*