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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.1-3)**

1. The CHAIRMAN: Before we resume our work, I would say the following. Members of the Committee may recall that, yesterday, on my behalf and on behalf of the Committee, I expressed regret at the attempt on Senator Robert Kennedy's life and hope for his speedy recovery. Today we have the sad news that that attempt has led to his untimely death.

2. Senator Robert Kennedy was deeply dedicated to the achievement of social justice and the observance of universal rights. He was a strong supporter of the purposes and principles of the United Nations. His death is a great loss to the noble causes for which he stood. I would ask the delegation of the United States to convey to Senator Robert Kennedy's family as well as to the Government and people of the United States the sympathy and condolences of the Committee on this most tragic loss.

3. Before calling on the first speaker on my list for today, I should like to inform the Committee that Belgium has become the forty-sixth sponsor of the draft resolution contained in document A/C.1/L.421/Rev.2 and Add.1-3.

4. Mr. VAUGHAN (Barbados): My delegation approaches this draft resolution and the draft treaty whose text is annexed thereto from the point of view of a small peaceful nation which does not have, does not at present aim to have, and possibly may never have a nuclear potential. That point of view remains in every way the same as that affirmed by my Prime Minister in his speech on the occasion of the admission of Barbados to the United Nations on 9 December 1966. He said then:

"We have devised the kind of foreign policy which is consistent with our national situation and which is also based on the current realities of international politics.

"We have no quarrels to pursue and we particularly insist that we do not regard any Member State as our natural opponent. We shall not involve ourselves in sterile ideological wranglings because we are exponents, not of the diplomacy of power, but of the diplomacy of peace and prosperity. We will not regard any great Power as necessarily right in a given dispute unless we are convinced of this, yet at the same time we will not view the great Powers with perennial suspicion merely on account of their size, their wealth, or their nuclear potential. We will be friends of all, satellites of none." [1487th plenary meeting, paras. 77-78.]

5. I hope therefore that we will be excused for taking a more detached view of these proceedings than has so far been evinced in this Committee. I trust it will also be understood why we speak in more general terms and at less length than many other delegations have felt it necessary to do.

6. In keeping with this attitude let me say quite definitely that my Government welcomes any attempt to reduce, in however small a degree, the sort of nuclear proliferation which might further endanger the peace and prosperity of mankind. We therefore applaud the efforts of those nations which have striven so hard and so long to bring about a measure of nuclear control. I refer especially to the Republic of Ireland, whose representative initiated the procedures which have resulted in the draft treaty; to the United States of America and the Union of Soviet Socialist Republics, which are mainly responsible for the draft [A/C.1/L.421/Rev.2/Add.1]; to the United Kingdom, which so ably seconded their efforts; to the other members of the Eighteen-Nation Committee on Disarmament, appreciation of whose labours is so fittingly expressed in this draft resolution; and to those other States, too numerous to mention, which have managed to improve the draft still further in the course of the deliberations in this Committee. This is one way of saying that, whilst we share the motives behind the treaty, we appreciate the difficulties in the way of having any sort of draft treaty at all. It is also a way of saying that we are conscious of the respects in which the treaty still falls short of our hopes for securing the peace and the prosperity of mankind. At this late stage in our deliberations, however, I do not propose to review the various respects in which the treaty could be improved still further. That has already been done repeatedly and in detail by a succession of representatives. I prefer to make and, if need be, to emphasize three basic points.

7. Let me deal first of all with the relation of the draft treaty, even as amended in this Committee, to the objectives set out in General Assembly resolution 2028 (XX) of 19 November 1965. It has been said, in this Committee and elsewhere, that the immediate purpose of

this treaty was originally not to ensure general disarmament but only to provide that the non-nuclear and near-nuclear States did not, by engaging in the nuclear arms race, compound an already frightening menace to world peace; in other words, that the treaty was devised with a view not to vertical non-proliferation but only to horizontal non-proliferation of nuclear weapons. This of course falls considerably short of both the spirit and the letter of operative paragraph 2 of resolution 2028 (XX). But it would seem that it is not yet possible, as a practical proposition, to close all the loop-holes which might permit, in the words of that resolution, "nuclear or non-nuclear Powers to proliferate, directly or indirectly, nuclear weapons in any form." Being in no way desirous to possess an arsenal of nuclear weapons, however, my Government prefers to dwell on the amended versions of articles IV and V of the draft treaty, for which we are indebted to the distinguished triumvirate of Mexico, Colombia and Chile, and which would increase the facilities for sharing by non-nuclear States in the benefits to be derived from the peaceful uses of nuclear energy. It is true that the machinery by which participation in these benefits is to be effected has not been spelled out, but a firm commitment to the setting up of such machinery has been made and we do not doubt that the same determination that has gone into inserting this amendment will result in the working out of satisfactory details. Indeed, my delegation is of the opinion that, if nothing else than this commitment has been achieved, the labours of the past six years would have been justified.

8. Closely linked with this commitment is the new last paragraph of the preamble which reaffirms that principle of the Charter of the United Nations in accordance with which Member States must refrain from the use of force or the threat of force against the territorial integrity or political independence of any State and which declares that the establishment and the maintenance of international peace and security are to be promoted with the least diversion for armaments of the world's human and economic resources.

9. It may be asked, what guarantee is there that this declaration will not be honoured more in the breach than in the observance? There is, of course, the guarantee which is offered by the United States, the Union of Soviet Socialist Republics and the United Kingdom in the draft resolution for the Security Council on security assurances.¹ By this, these three Powers profess themselves willing to give aid and protection to any non-nuclear State that is the victim of an act or the object of a threat of aggression. Here again, there are difficulties and imperfections, and imperfect as the draft resolution is, we could wish that it had been possible to incorporate its provisions in the draft treaty so that they might be clearly defined and made imperative. Failing that, however, should we reject the draft treaty, or should we grudgingly accept it whilst disclaiming responsibility for its present form? Further, should we refuse to be associated with the draft resolution which is now before us? My delegation will do none of these things. And our reasons are these. As I said earlier, we are a small, peace-loving nation. And, to quote my Prime Minister once more,

"We have devised the kind of foreign policy which is consistent with our national situation and which is also based on the current realities of international politics."

And yet again: "We will be friends of all, satellites of none".

10. The greatest contribution that we, as a nation, can make is to the furtherance of world peace. But, in our view, the distinguishing feature of the draft treaty is an attempt to reconcile a new concept of confidence in international relations with the harsh realities of practical politics. We would not willingly reject the one nor can we overlook the other; we are convinced that, if we do not now accept and nurture as much of that new concept of confidence as is here made available to us, we may thereby indefinitely bar the door to world peace.

11. Lastly, we believe that the process of quinquennial revision provided for in the draft treaty can be effectively used for making those improvements which we all so eagerly desire. On these grounds, therefore, we will not reject the draft treaty, nor will we seek to obtain any advantages which may flow from it while denying our acceptance; still less will we dissociate ourselves from the draft resolution. On the contrary, we consider it our duty to co-sponsor the draft resolution, conscious as we are that in so doing we emphasize, as friends of all and satellites of none, the need for the great Powers to carry over into their other policies involving the smaller and weaker nations that same uncompromising good faith of which they now assure us and without which there can be no guarantee of the effectiveness of this treaty.

12. Mr. KIKHIA (Libya): Referring, first of all, to the tragic events which have afflicted and distressed the American nation and the Government of the United States in the death of Senator Robert Kennedy, I wish to associate myself with you, Mr. Chairman, in expressing our feelings to the United States delegation, and on behalf of the Libyan delegation, I wish to convey to the delegation of the United States my heartfelt sympathy and condolences.

13. And now, Mr. Chairman, I should like to express to you the gratitude of the delegation of Libya for the opportunity offered to me to state the position of my delegation on the very important, major issue under consideration relating to the draft treaty on the non-proliferation of nuclear weapons and the revised forty-five-Power draft resolution supporting it, contained in document A/C.1/L.421/Rev.2.

14. I should like to reiterate that the Libyan Government has always favoured and lent its strongest support to all efforts and to any steps taken to prevent the spread of nuclear weapons and to lessen the possibility of nuclear war. Moreover, we have on many occasions stressed the fact that such gradual steps and such sincere and loyal efforts would greatly facilitate negotiations and further realizations with a view to achieving general and complete disarmament under effective international control—an achievement which is, and must be, the ultimate goal of the United Nations in this respect.

15. Coming back to the draft resolution, I should like to say that my delegation listened with the greatest attention

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

and respect to the many valuable contributions made by many delegations, and we expressed our appreciation for the serious and constructive spirit of this important debate. In particular, our delegation was very much interested in the various clarifications, proposals, additions, modifications and pertinent observations made by many representatives, and we are happy about the partly positive response to them in the revised text of both the draft treaty and the draft resolution. In fact, the Libyan delegation shares some of the legitimate concerns, hesitations, misgivings and scepticism expressed during the debate with regard to the draft treaty on the non-proliferation of nuclear weapons proposed by the two nuclear super-Powers.² Our dissatisfaction is, in particular, related to the following aspects.

16. First, the security assurances to the non-nuclear signatory States and the inequity of the security guarantees; in fact there should be a clear and manifest obligation not to use or threaten to use nuclear weapons against signatory States.

17. Second, the effective measures to be taken in the direction of general nuclear disarmament and for attaining disarmament in both conventional and nuclear weapons; further and prompt measures to halt the nuclear arms race and to limit existing nuclear arsenals.

18. Third, further promotion of genuine and effective technical assistance in the field of international co-operation for the peaceful uses of nuclear energy, and for sharing the profits from this type of energy, with due consideration, especially, for the needs of developing countries.

19. Fourth, the inequity and unfairness in the balance of obligations, rights, responsibilities and advantages proceeding from the treaty; a fact which may be considered as unjust and as conflicting with the principle of the United Nations Charter that the sovereign equality of all States shall be respected.

20. Fifth, the methods and procedures used to submit the draft treaty to the General Assembly; since, despite the fact that the draft is the result of many years of intensive negotiations and consultations among the members of the Eighteen-Nation Committee on Disarmament, it is, in fact, finally presented as a bilateral agreement between the two super-Powers, an agreement which the other Members are invited, without much choice, to approve and endorse. Naturally, we are not very happy to abdicate our role in this international Organization and accept this passive role without experiencing legitimate and rightful uneasiness and anxiety.

21. However, in spite of the negative aspects of the draft treaty, revealed in the objections raised against it, and notwithstanding the fact that the delegation of Libya, like many others, is not convinced that it is the ideal kind of treaty we had hoped for, we shall support the draft treaty on the non-proliferation of nuclear weapons and we shall vote for the revised draft resolution contained in document A/AC.1/L.421/Rev.2 and Add.1-3. We shall do so because we believe the advantages are greater than the shortcomings; and we are also convinced that at this stage it

would be useless, indeed harmful, to block any favourable decision in this aspect. Moreover, it is not easy to proceed now to a fundamental revision of the text of the treaty, which is the result of difficult and delicate negotiations and which involves such important compromises and mutual concessions between the two super-Powers, taking into account the fact that it is very difficult to accommodate the various complaints and dissatisfactions at this stage of our work. Besides, in our view, any further delay in the conclusion of an international treaty to prevent or lessen the proliferation of nuclear weapons may only contribute to an increase of nuclear arsenals and to a spread of nuclear weapons throughout the world; this situation may lead, in its turn, to the aggravation of tension between States and finally to the risk of nuclear war.

22. Certainly, any agreement between the major nuclear Powers in this regard must be considered as an important step towards peace; it would contribute to reducing tension, enhance security in the world, and finally create a climate of confidence and sincerity enabling us to take further steps on the road to peace and progress.

23. Having confirmed the intention of the Libyan delegation to vote for the draft resolution, I need not say that our positive vote will not in itself commit Libya to sign and ratify the treaty on the non-proliferation of nuclear weapons; this will be a matter of constitutional procedure. I should like, at the same time, to stress the following points that are important in the view of the Libyan delegation.

24. Firstly, Libya considers the draft treaty as merely a step towards a more important aim, which is to attain general and complete disarmament under strict and effective international control.

25. Secondly, we express our hope for and confidence in the goodwill of the major nuclear Powers and in their co-operation in good faith, in order to secure the application of the treaty in such a way as to remedy its shortcomings and create the proper climate in which further improvements could be made to it in the future.

26. Thirdly, in our view, the methods and procedures used in preparing and presenting the draft treaty to the General Assembly must not be considered as establishing any precedent, custom or tradition tending to attribute to a certain number of Member States any further legal, constitutional or political privileges, powers or competence in the United Nations. In fact, we, the countries of the third world and the small nations, are very conscious and anxious about some recent tendencies in the practice of the United Nations in this respect, especially at this time when the newly independent States Members of the United Nations, that is to say, the majority of the Members, are questioning the relevance and legitimacy of the very privileges granted by the Charter itself to the great Powers.

27. In conclusion, I should like to bring to the attention of the Committee the following statement of the Prime Minister of the Kingdom of Libya issued at the beginning of this month, commenting on the draft treaty on the non-proliferation of nuclear weapons:

“The draft treaty on the non-proliferation of nuclear weapons is an important step on the road of limiting the

² *Ibid.*, annex I.

nuclear armaments race; it is an encouraging step as a prelude to taking other more effective steps in the service of humanity and world civilization, as well as to protecting them from total destruction. Libya, which is currently fighting to rise from under-development and which is looking forward to contribute its share in the progress of civilization in a world climate free of fear of the hazards of nuclear weapons, hopes that wisdom will prevail among the leaders of the great and developed Powers so that they may utilize their capabilities and their technological possibilities for peaceful purposes and for the common good of humanity. Libya considers the draft treaty on the non-proliferation of nuclear weapons, in spite of its utmost importance, as merely an important step towards more important aims as reflected in the endeavour to achieve disarmament in both conventional and nuclear weapons, and to direct the abilities of the creative human mind towards peaceful and scientific inventiveness in the service of mankind.”

28. Mr. GAUCI (Malta): The shock of the events leading to Senator Kennedy's death has again left us speechless with sorrow. I can only say, with deep conviction, that the people of Malta, those at home and those settled here, who had grown to admire in particular Senator Kennedy's dedication to the cause of the brotherhood of mankind, to peace and to his country, now share with his family and his people the unspeakable sadness over an irreparable loss.

29. We have already had an opportunity to state our views on the original draft non-proliferation treaty prepared for our consideration by the two co-Chairmen of the Eighteen-Nation Committee on Disarmament. We felt that other areas dealing more directly with nuclear disarmament should have been given priority, but since, in the political realities of the present situation, agreement between the major Powers could be reached only on a draft non-proliferation treaty, we are unable to resist our natural inclination to support in good faith a measure which, we are told, is an essential first step before other disarmament measures can be considered with some promise of progress. Faced with this situation, our main concern was to ensure that the obligations assumed by the parties to the treaty should be realistically spelt out to reflect more accurately the feelings of the international community as a whole since, in the words of the Ambassador of Finland:

“The resolution which the General Assembly will adopt on the subject of the non-proliferation of nuclear weapons will form an integral part of the legislative process by which the treaty to prevent the further spread of nuclear weapons will come into force.” [1576th meeting, para. 14.]

30. We are grateful to the co-Chairmen for the improvements in the text of the treaty to which they have been able to agree, and which have also been reflected in the wording of the revised draft resolution now contained in document A/C.1/L.421/Rev.2. Obviously, the matter does not end here. The success of the non-proliferation treaty will not rest on any increase in the favourable votes which it may receive. The real test of its viability will be the seriousness and the rapidity with which the major nuclear-weapon Powers will now embark on other aspects of nuclear disarmament. It was mainly to ensure that consideration of the essential next steps, already long overdue,

would be taken up without delay that we found ourselves anxious to finalize discussion on the non-proliferation treaty at this session. The psychological momentum could not, in our view, be allowed to slow down.

31. The revised version of the draft resolution meets some of our considered views, but we would have preferred to see an explicit reference made to the joint security assurances given by the three nuclear-weapon States, to which we attach considerable importance. We hope it may still be possible to have this provision incorporated in the draft resolution, and even that the wording of the proposed Security Council resolution will take into account the well-founded doubts which have been expressed and the suggestions which have been made concerning ways in which the text could be improved so as to eliminate at least difficulty in interpretation.

32. Above all, and again in absolute good faith, we trust that the nuclear-weapon States will be genuinely forthcoming at the important Conference of Non-Nuclear-Weapon States to be held later this year, particularly as regards exploring possibilities for ensuring the security of non-nuclear-weapon States for promoting the peaceful uses of nuclear energy, including the transfer of technology for the benefit of all countries, especially developing countries, and for attempting to associate all nuclear-weapon Powers in disarmament measures, with priority for nuclear disarmament. We are convinced that the Conference of Non-Nuclear-Weapon States opens possibilities for meaningful progress in these and other equally important aspects of the problems that still lie ahead—aspects which, if added to or supplementing the existing provisions of the draft treaty, could significantly improve its general acceptability.

33. If you will allow me, Sir, I should like to make a brief reference to the way in which the main intervention of my delegation has been carelessly—but, I trust, inadvertently—distorted almost beyond recognition in press release GA/3633 from the Office of Public Information. I shall give only a few examples. According to the verbatim record of the 1575th meeting, we stated:

“I would add that even in the highly improbable event that one of these relatively advanced civilian nuclear Powers were to take today a decision to manufacture nuclear weapons, no nuclear device could possibly be detonated for at least a year—or more probably two” [1575th meeting, para. 12].

That was summarized in the press release to read:

“In any case, if such a decision was taken, no device could be detonated for at least a week.”

I am in favour of condensation of statements, but not to the extent of reducing significant time spans from two years to one week. The fact that a correction was issued does not minimize the seriousness of the matter.

34. Again, according to the verbatim record, we stated:

“This article appears free of loop-holes; yet it would not seem directly to preclude a nuclear-weapon State Party to the treaty from assisting organizations and entities other than States in acquiring nuclear explosive devices that could be used for purposes of political intimidation or to force change in the political direction of Member States.

Such a possibility might appear somewhat remote, but it cannot be excluded as long as political organizations or movements within States are assisted in acquiring a rich variety of conventional weapons for political warfare on their respective Governments.” [Ibid., para. 25.]

In the press release that paragraph was condensed to read:

“Thus articles I and II did not exclude the transfer of nuclear devices ‘for political intimidation’ to groups of States”.

At the imaginative stroke of a pen, apparently, “organizations and entities other than States” can become “groups of States”. There are several other serious examples of distortion of the meaning of our statement which I could quote, but I trust that what I have mentioned will be sufficient to prove that, in some important aspects, the press release from the Office of Public Information bears no relation whatsoever to what was actually stated in the Committee, and I very much hope that this matter will be brought to the attention of the persons concerned for corrective action.

35. We have difficulty in subscribing to the view that the General Assembly has the power to request a particular course of action from Member States. It may urge, invite or recommend, but it is beyond its competence to request Member States to take any specific action. The wording of operative paragraph 2 of the draft resolution is consequently in conflict with our interpretation of the competence of the General Assembly. We are aware, however, that a precedent exists.

36. We shall vote in favour of the draft resolution before us, in the interest of making progress, but our favourable vote for the draft is not to be interpreted either as showing our satisfaction with all aspects of the treaty or as a recognition of the authority of the General Assembly to request specific courses of action from Member States.

37. Mr. GARCÍA ROBLES (Mexico) (*translated from Spanish*): Mr. Chairman, in your eloquent words at the beginning of this meeting you faithfully interpreted the profound sorrow felt by the Mexican delegation yesterday on learning of the attack on Senator Robert Kennedy, and today on hearing of its tragic conclusion with his death. I shall therefore confine myself to offering the sincerest condolences of my delegation to that of the United States, requesting it kindly to convey them to the late Senator's family.

38. When I spoke on 16 May in the Committee's general debate on the item we are considering, I ventured to stress that the delegation of Mexico, faithful to its traditional position on this subject, considered it its duty to make its contribution so that the General Assembly could decide at the present session to “open for signature a treaty on the non-proliferation of nuclear weapons which would command general, or at least the widest possible, acceptance.” [1569th meeting, para. 48.]

39. On the same occasion, I added that to achieve that goal it seemed essential to us that two fundamental

requirements be fulfilled, which I defined, word for word, as follows:

“... 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. . . .” [Ibid., para. 50.]

40. At the present stage, namely, that of considering draft resolution A/C.1/L.421/Rev.2 and Add.1, my delegation is gratified to note that, as far as could be reasonably expected, those two conditions have been fulfilled. The general debate, as was explicitly recognized by the two main sponsors of the draft treaty, the Soviet Union and the United States, has been conducted on a particularly high level. It has been distinguished by the serious, moderate and constructive tone of the statements of almost all representatives of the non-nuclear-weapon States which participated in it. The delegations of the two co-Chairmen of the Conference of the Eighteen-Nation Committee on Disarmament, for their part, have given genuine proof of flexibility and understanding, endeavouring to deal with the legitimate concerns expressed and to take into account the many suggestions put forward with a view to improvement. This has resulted in the revision of the draft resolution and—what is most important, of course—of the draft treaty itself. It has also, by the way, safeguarded the dignity and prestige of the General Assembly, the most representative body of the United Nations.

41. My delegation, which was among those which submitted specific suggestions in its above-mentioned statement of 16 May, was particularly gratified to see that the three suggestions we made on that date, reflecting not only Mexico's point of view but that of many other Latin American States whose representatives we had occasion to consult as well, have been included in the draft treaty, two of them almost verbatim and the gist of the third.

42. Thanks to the favourable reception given one of those two suggestions, the preamble to the draft treaty now concludes very appropriately as follows:

“Recalling that, in accordance with the Charter of the United Nations, States must refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the Purposes of the United Nations, and that the establishment and maintenance of international peace and security are to be promoted with the least diversion for armaments of the world's human and economic resources.”

43. My delegation considers that the insertion of this paragraph constitutes, in the context of the treaty, express

recognition that the obligation solemnly assumed by all Member States under Article 2 of the Charter, to the effect that they shall abstain from recourse to the threat or use of force, is particularly applicable in the case of the nuclear weapons which some of them possess and which are today the most terrifying example of such force.

44. We also consider that the new preambular paragraph, in recalling the terms of Article 26 of the Charter itself, is strengthening the intention expressed in a previous paragraph "to achieve at the earliest possible date the cessation of the nuclear arms race and to undertake effective measures in the direction of nuclear disarmament".

45. The second of the two suggestions which have now become part of the draft treaty is, we believe, one of those which have contributed most to the improvement of that document. Since in my previous statement I explained at length and in detail the reasons why my delegation attaches particular importance to this question, I shall only mention here that we have now been assured by the new text of article V that the non-nuclear-weapon States will be in a position to receive the potential benefits of any peaceful application of nuclear explosions through the intermediacy of an appropriate international body in which they will be adequately represented.

46. In this respect, we were particularly pleased to hear the explanations given by the representatives of the co-Chairmen of the Conference of the Eighteen-Nation Committee on Disarmament when they said that the words "pursuant to a special international agreement or agreements" used in the article refer, on one hand, to the need to conclude a "special international agreement", which will be the basic agreement defining the functions and powers of the "appropriate international body", and, on the other, to the desirability of leaving the door open to the conclusion of special agreements between that body and each of the States seeking its co-operation in order to carry out specific projects.

47. We were equally satisfied to note that, although it is established that the formal negotiations on this question are not to start until the treaty has entered into force, nothing stands in the way of immediately beginning or of continuing preparatory studies or consultations on the subject, nor prevents the Conference of the Non-Nuclear-Weapon States from dealing with the matter fully, as my delegation thinks it should when it considers item 4 of its agenda [*see A/6817, annex I*].

48. We are convinced that these and all the other changes made in the draft treaty and in the draft resolution, the scope of which have been duly defined by the sponsors and which now take into account the specific suggestions made by the Latin American delegations and those put forward by so many other representatives—for example, those of Italy, Japan, Nigeria and Yugoslavia—have notably improved the texts of both documents and considerably increased the possibilities of their gaining an acceptance which, although, unfortunately, it apparently cannot be universal, does at least promise to be extremely wide. Therefore, and because we believe—as we already said on 21 March 1967 in the Eighteen-Nation Committee on Disarmament at Geneva—that "the conclusion of a non-prolifera-

tion treaty, however imperfect, seems infinitely better in relation to the basic objective we pursue than no treaty at all",³ the delegation of Mexico has decided to join the other States sponsoring draft resolution A/C.1/L.421/Rev.2.

49. In making this announcement, or, to be more accurate, in repeating what the Chairman announced at the previous meeting, I feel it is appropriate to reiterate, so that this formal declaration may be entered in the record, that my delegation interprets the term "nuclear explosive device" used in the draft treaty annexed to the draft resolution, particularly in article II, as synonymous with "nuclear explosive devices which can be used as nuclear weapons".

50. We also considered it appropriate to stress again that the interest which Mexico has demonstrated, again by facts, in the treaty on the non-proliferation of nuclear weapons, in no way affects or diminishes the primary interest which, for the reasons I explained in detail in my earlier statement, it has in the Treaty for the Prohibition of Nuclear Weapons in Latin America, or Treaty of Tlatelolco [*see A/C.1/946*], and in the urgent need to adopt all the measures aimed at strengthening it and ensuring its greatest effectiveness which were expressly recommended by the General Assembly in resolution 2286 (XXII) adopted without a single opposing vote on 5 December 1967.

51. The responsibility for successful conclusion of the debates in the First Committee, which is very close now, has rested equally with the two main sponsors of the draft treaty and the other Member States which form the General Assembly. Both the former and the latter have been equal to that responsibility. At the next stage—it should be remembered—the responsibility will rest almost exclusively with the nuclear Powers, since it will be for them to adopt the specific measures for disarmament which we all await, those which the preamble to the draft treaty defines as the most important and urgent, such as, for example, the permanent suspension of all test explosions of nuclear weapons, including underground explosions, and the cessation of manufacture of nuclear weapons. May the forthcoming session of the Conference of the Eighteen-Nation Committee on Disarmament demonstrate that in this task too its two co-Chairmen can reach agreement as effective as that which enabled them to achieve the success, with the co-operation of the other members of the said Committee and those of the First Committee, of the treaty on the non-proliferation of nuclear weapons.

52. Mr. PANYARACHUN (Thailand): Today is a day of mourning not only for the Kennedy family, but also for all those who abhor violence and the settlement of disputes by violent means. Yesterday the delegation of Thailand was filled with a sense of shock and horror at the attempt on the life of Senator Robert Kennedy, and today we are overwhelmed by a deeper sense of grief and sorrow. My delegation wishes to convey its heartfelt sympathies and deep condolences to the Kennedy family in this time of family tragedy and bereavement.

³ ENDC/PV.295, para. 20.

53. Since this is the first time my delegation has spoken during the present resumed session, may I be allowed, Mr. Chairman, to express our gratification at seeing you resume the chairmanship of our Committee. The objectivity, impartiality and sagacity with which you carried out your responsibilities during the first part of the session have again been ably demonstrated during the present resumed session, and we have no doubt that these qualities of yours will guide us to a successful and orderly conclusion.

54. The position of the Government of Thailand on the question of non-proliferation of nuclear weapons was made clear in a note dated 30 May 1962 from the Minister of Foreign Affairs in reply to the Secretary-General's note inquiring about this same matter in pursuance of General Assembly resolution 1664 (XVI). The substantive portion of our reply reads as follows:

"As Thailand is, at present, engaged in the various fields of economic and social development, His Majesty's Government is concentrating all its energy and devoting national resources to attain those objectives. Therefore, Thailand has no desire to manufacture any kind of nuclear weapons, nor any intention to acquire such weapons, except in the case of imperative necessity for national defence against external danger."⁴

55. The principles as stated above have continued to be the guidelines for the Thai Government in all its considerations and decisions concerning the question of non-proliferation of nuclear weapons since then—and there has been a great deal of development on this matter, culminating in the present debate on the non-proliferation treaty.

56. The Thai delegation has, in the past, consistently supported every move in the United Nations which would have the effect of taking a practical step towards general and complete disarmament under effective international control. If my delegation did not take part in the general debate on the present agenda item, it was not due to lack of interest in so important a matter. On the contrary, it was due to the realization of our limited knowledge of the technicality of the complex problem and to our inclination to defer judgement on the issue until we had heard all the merits and demerits of the case.

57. We therefore listened with great interest to all the statements and arguments made within this Committee as well as during the large number of private consultations which were held on this matter. In this connexion, my delegation could not but express its gratification at the high level of discussion and serious and constructive mood of the First Committee in dealing with this momentous problem. We are particularly pleased with yet another piece of evidence of co-operation between the two super-Powers which, if further extended to other areas and issues, would no doubt greatly reduce the tension of the world in which we live.

58. We largely share the reservations and misgivings of many delegations who have expressed their opinions on the various provisions in the draft treaty.

59. My delegation was disturbed by the apparent discrepancies in various fields between the joint draft treaty and the guidelines as agreed upon almost unanimously by the General Assembly in resolution 2028 (XX). We have no doubt in our mind that the draft treaty originally presented to the First Committee fell far short of the expectations and legitimate aspirations of a number of non-nuclear Powers.

60. In the field of peaceful nuclear energy, for example, even though Thailand is still and will continue to be very much a developing country, especially technologically speaking, we cannot fail to realize the tremendous possibilities which nuclear energy could create in the development of our resources and economy. We ourselves have even started a modest programme of peaceful nuclear development. That is why we understand the rather strong and, in our view, fully justified concern of several delegations that the emergence of the non-proliferation treaty should not in any way hamper or retard the development of peaceful nuclear energy all over the world. The balance of possibilities and profits in the field of peaceful nuclear technology is already very heavily weighted on the side of the nuclear-weapon States, and that balance should not be similarly tilted any more even for the sake of greater universal safety through the acceptance of a non-proliferation treaty in its original form.

61. And, indeed, the Thai delegation considers that the most valid and basic criticism which must be levelled at the draft treaty is this obvious lack of balance between the obligations imposed on the non-nuclear States and the responsibilities to be assumed by the nuclear Powers. Many delegations have aptly indicated how this lack of balance is apparent in various sections, and there is no need for me to elaborate on them. In one direction, however—that of national security—it is incumbent on the Thai delegation to state its position.

62. Thailand is situated in a part of the world which circumstances of geography or politics or otherwise have rendered most unfortunate. Asia is the only continent on which atomic bombs have been dropped, the continent in which atmospheric nuclear tests are still being carried out by those nuclear Powers which choose to ignore the partial test-ban Treaty, the continent which is overshadowed by a nuclear Power with an avowed opposition to any kind of treaty on non-proliferation of nuclear weapons. This latter Power, furthermore, has openly adopted a policy of aggressive expansionism by every available means. Nations such as Thailand have so far been able to resist the aggressive designs of such a Power by its own resources as well as with the assistance of friendly Powers. And yet the first draft of the non-proliferation treaty⁵ was ominously silent on this question of security. The projected Security Council resolution⁶ on the matter also seems to contribute nothing concrete to helping allay the anxiety of nations in our position. For example, any action even in the Security Council, according to the draft resolution, must depend on the unanimous interpretation of the term "aggression" by the three guaranteeing Powers. And it is well known how

⁴ *Official Records of the Disarmament Commission, Supplement for January 1961 to December 1962*, document DC/204/Add.1.

⁵ *Ibid.*, *Supplement for 1967 and 1968*, document DC/230 and Add.1, annex IV, sects. 6 and 8.

⁶ *Ibid.*, document DC/230 and Add.1, annex II.

even the most obvious kind of aggression, particularly in our part of the world, could be subject to all sorts of misrepresentation. All in all, the draft resolution to be submitted to the Security Council, even though it may be adopted, does not seem to be able to offer any additional security guarantee to countries such as ours.

63. In the light of those considerations, the Thai delegation could not but come to the conclusion that the original draft treaty was far from being adequate and did not satisfy our minimum requirements. We are not unmindful, however, of the difficult circumstances surrounding the production of a politically sensitive document of this kind and we consider its arrival at that stage to be a noteworthy and significant step forward in the field of disarmament and international co-operation, particularly in arresting the horizontal proliferation of nuclear weapons.

64. The delegation of Thailand is very much heartened and gratified to see how the two super-Powers, co-sponsors of the draft treaty, have gradually softened their adamant attitude after having listened to the criticisms and pleadings of a large number of delegations and have even gone so far as to make amendments and additions to the draft treaty itself. My delegation is happy to see that some changes have been made in articles IV and V which, in our view, make the rights of non-nuclear States and the obligations of nuclear States more emphatic and positive. As security is and must be our main concern, we are especially gratified to note the addition of a preambular clause linking Charter principles to the revised draft treaty in the way advocated by the Japanese delegation. There is now room to hope that, with a further co-operative spirit from the major nuclear Powers, and bearing in mind the work which could be done at the Conference of Non-Nuclear-Weapon States later this year, even more of the inadequacies in the revised draft treaty could be remedied so as to create a more reasonable and balanced international instrument.

65. The draft resolution on this agenda item has also been improved by its sponsors to fill in the gaps and adapt it more to the pervasive attitude of the Assembly. The replacement in operative paragraph 1 of the verb "*endorses*" by the verb "*commends*", for example, seems to reflect a change in a direction which is more truly representative of the general feeling of Member nations.

66. We also welcome the broadening of operative paragraph 3 of the draft resolution by which the General Assembly:

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

The importance of the treaty indeed, as rightly pointed out yesterday by Mrs. Myrdal, the representative of Sweden, depends on the signing and ratification of certain key countries.

67. The delegation of Thailand, in any case, considers the draft resolution to be simply a procedural step to enhance the advancement of the principle of non-proliferation of nuclear weapons, and our vote here in favour of that text should not in any way be so construed as to prejudge the final stand of the Government of Thailand with regard to

the treaty itself. In coming to its final decision on the treaty, the Thai Government will naturally be guided in the first place by its supreme national interests on the basis of the political reality of the region, but it will not lose sight of the fact that there is an even higher interest involved here—that of the survival of the whole of mankind.

68. Mr. SHAHI (Pakistan): Yesterday, at the 1429th meeting of the Security Council the Pakistan delegation associated itself with the message of the President of the Council to Mrs. Robert Kennedy expressing our sense of shock and grief at the attempt on the life of her illustrious husband, Senator Kennedy. We voiced our prayers that his life might be spared, but it was not to be. My delegation would like to express its profound sorrow at his passing. The United States and indeed all mankind is diminished by his untimely and most tragic death. From God we are; to God we must return. May his great soul rest in peace.

69. The views and comments of the Pakistan delegation in the general debate on the text of the draft treaty before us were set forth at the 1566th meeting of this Committee on 13 May. My present statement will be largely confined to an explanation of our vote on the draft resolution in document A/C.1/L.421/Rev.2, which is sponsored by forty-six delegations. Before I do so I shall comment very briefly on the changes in the draft treaty text contained in document A/C.1/L.421/Rev.2/Add.1 and those in the draft resolution.

70. Firstly, in regard to the changes in the draft treaty, we note the addition of a clause to the ninth preambular paragraph stating that effective measures will be undertaken in the direction of nuclear disarmament. However, article VI of the draft treaty remains unchanged. We should have welcomed specific undertakings in that direction, more especially on the question of ending underground nuclear-weapon tests.

71. The last preambular paragraph, which is an addition to the text, recalls a provision of the Charter of the United Nations. My delegation would have been gratified if it had been further strengthened by the inclusion of a declaration by the nuclear-weapon States undertaking to refrain from the threat or use of nuclear weapons against non-nuclear States parties to the treaty.

72. We welcome the amendments to paragraph 2 of article IV of the treaty, under which the nuclear Powers will now undertake for the benefit of the parties to the treaty, to facilitate the fullest possible exchange of equipment and materials in addition to scientific and technological information for the peaceful uses of nuclear energy. The specific obligation of the parties to the treaty to contribute to the further development of the application of nuclear energy for peaceful purposes, especially in the territories of non-nuclear-weapon States parties to the treaty, with due consideration for the needs of the developing areas of the world, will make for a more equitable balance of responsibilities and obligations of the nuclear and non-nuclear-weapon States.

73. In regard to article V, we note that the benefits of peaceful nuclear explosions may be availed of by the non-nuclear-weapon States parties to the treaty on a

bilateral basis, pursuant to a special agreement or agreements, as well as through an appropriate international body. Despite the obvious shortcomings of the draft treaty in other directions, my delegation, in the words of Deputy Foreign Minister Kuznetsov, expresses the hope that the treaty on the non-proliferation of the arms race may also become a treaty on the proliferation of benefits from the peaceful applications of nuclear energy for a maximum number of States.

74. Turning now to the draft resolution in document A/C.1/L.421/Rev.2 and the changes that have been incorporated in it, we welcome the new formulations in the preambular part, more particularly those provisions aimed at emphasizing the urgency and great importance of intensifying international co-operation in the development of peaceful applications of atomic energy and the right of the non-nuclear-weapon States to engage in research, production and use of nuclear energy for peaceful purposes, as well as their right to acquire source and special fissionable materials and equipment for the processing, use and production of nuclear material for peaceful purposes.

75. Inasmuch as the draft resolution no longer requires us to endorse the treaty but only invites us to commend it, the way has been opened for all of us to take a positive view of its provisions as a whole. However, my delegation must express its reservation in regard to the request in operative paragraph 2 to the depositary Governments to open the treaty for signature and ratification at the earliest possible date. Article IX of the draft text of the non-proliferation treaty is formulated in mandatory terms. It states that the treaty "shall be open to all States for signature". Therefore my delegation considers operative paragraph 2 to be not only superfluous but also potentially open to misinterpretation. However, in the interest of promoting harmony among Members of the United Nations, we shall not put forward any amendment to this paragraph or even ask for a separate vote on it. At the same time, we should like to make it clear that our support for the draft resolution as a whole cannot and will not in any sense commit or obligate my Government by implication or otherwise to sign the treaty when it is opened for signature. In this context, I should like to repeat what I said at the 1566th meeting of this Committee:

"the attitude of the potential nuclear-weapon States will be of crucial importance. Even if almost all the non-nuclear-weapon States signed and ratified the treaty and the near-nuclear-weapon States did not, the main purpose of the treaty would be defeated." [1566th meeting, para. 183.]

76. In the final analysis, the position of Pakistan with regard to signing the treaty will turn on considerations of its own enlightened national interest and national security in the geopolitical context of the region in which Pakistan is situated.

77. In paragraph 4 of the draft resolution, the Eighteen-Nation Committee on Disarmament and the nuclear-weapon States are requested urgently to pursue negotiations on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament and on a treaty on general and complete disarmament.

We note that the nuclear Powers have made a declaration of intention in the preamble to the text of the treaty to undertake effective measures in the direction of nuclear disarmament and, in article VI of the treaty, to pursue negotiations in good faith on such measures. Unless the nuclear arms race is halted by the three depositary Governments and rapid and substantial steps are taken towards nuclear disarmament—in other words, towards vertical non-proliferation—the co-operation of the remaining two nuclear Powers in the direction of nuclear disarmament as well as general and complete disarmament cannot be realistically expected. The vital interests of peace and security for all mankind, quite apart from the viability and stability of the non-proliferation treaty, will depend on the ability of the three nuclear Powers parties to the treaty to implement their solemn and binding pledges to end the nuclear arms race and carry out nuclear disarmament at an early date.

78. Now that the bridge to serious negotiations on measures of nuclear disarmament will be crossed by the conclusion of the treaty, there is no valid reason for them to disappoint us in our expectations. For that reason, my delegation attaches overriding importance to operative paragraph 4 of the draft resolution.

79. The subject of security guarantees finds first place in the proposed agenda of the Conference of Non-Nuclear-Weapon States. We note the intention of the three nuclear Powers to present their draft resolution on security assurances to the Security Council for its consideration. The views of Pakistan on the subject will be stated in the Security Council at the appropriate time.

80. Finally, I should like to express my delegation's gratification at the fact that most of the representatives who have participated in the general debate have emphasized the importance of the forthcoming Conference of Non-Nuclear-Weapon States. My delegation anticipated, as far back as the twenty-first session of the General Assembly, that with the conclusion of a non-proliferation treaty the Conference would be bound to assume even greater significance.

81. It remains our hope that the suggestion of the Deputy Prime Minister and Foreign Minister of Ireland, Mr. Frank Aiken [1561st meeting], in regard to negotiations of additional agreements which might form the subject of consideration by the Conference of Non-Nuclear-Weapon States, will be received with an open mind by the depositary Governments. We are convinced that the conclusion of the present non-proliferation treaty will open new vistas and prospects to the non-nuclear-weapon States for fruitful co-operation with the nuclear Powers in the application of peaceful uses of nuclear energy, particularly by the developing countries of the world, and that potentially the Conference can become a new point of departure in the field of such co-operation.

82. For the reasons that I have stated, my delegation will vote in favour of the draft resolution contained in document A/C.1/L.421/Rev.2, subject to the reservation that I have made on the provisions of operative paragraph 2.

83. The CHAIRMAN: With the statement of the representative of Pakistan the list of speakers on the draft resolution and in explanation of vote before the voting is exhausted. I therefore declare that this phase of our deliberations has come to an end.

84. I now call on the representative of the United States.

85. Mr. GOLDBERG (United States of America): Speaking for the United States delegation and for the American people, I wish to express heartfelt thanks to all those, including you, Mr. Chairman, who have spoken in this Committee and who are sharing with us a sense of profound grief at the tragic and untimely passing of a great American and a great citizen of the world, Senator Robert F. Kennedy.

86. I know that the sentiments which have been expressed here and in other organs of the United Nations reflect the admiration and affection in which Senator Kennedy was held in so many countries, as indeed was his late brother President Kennedy and the entire Kennedy family. Senator Kennedy was a courageous warrior in the cause of peace. He passionately believed in understanding and good will among all peoples and all races at home and abroad. He was dedicated to the great goals of the Charter. He devoted his life to, and gave it in the noble cause of attempting to save succeeding generations from the scourge of war. Today all we can do is pray for his soul and grieve for his bereaved

family, which has borne for all of us more than its share of the burden of man's injustice to man.

87. The attack that killed Senator Kennedy painfully brings home to all of us here, who are charged with the responsibility of maintaining peace and security, once again the lesson that violence is wholly destructive of these ends. I know I speak what is in all our hearts in expressing the prayer that all the world may turn away from vengeful thoughts and violent deeds and learn at last to live together, as the Charter enjoins us to do, "in peace with one another as good neighbours".

88. My delegation will convey to Mrs. Kennedy and her children, and to the Kennedy family, all that has been said in tribute to Senator Kennedy in this Committee. I know I can speak in their behalf and say that they will be profoundly moved by what has been expressed here.

89. The CHAIRMAN: Tomorrow's meeting will be devoted, first, to voting on the draft resolution contained in document A/C.1/L.421/Rev.2 and Add.1-3, and then to listening to the explanations of vote after the voting. If I hear no objection, it will be so decided.

It was so decided.

The meeting rose at 12.25 p.m.