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Chairman: Mr. Agha SHAHI (Pakistan).

AGENDA ITEMS 29, 104, 30 AND 31

Question of general and complete disarmament: report of the Conference of the Committee on Disarmament (A/7639, A/7681 and A/7741-DC/232; A/C.1/989, A/C.1/992-994; A/C.1/L.490) (*continued*)

Question of chemical and bacteriological (biological) weapons (A/C.1/988, A/C.1/989 and A/C.1/991; A/C.1/L.487, A/C.1/L.488, A/C.1/L.489 and Add.1 and A/C.1/L.491) (*continued*):

- (a) Report of the Conference of the Committee on Disarmament (A/7741-DC/232);
- (b) Conclusion of a convention on the prohibition of the development, production and stockpiling of chemical and bacteriological (biological) weapons and on the destruction of such weapons (A/7655);
- (c) Report of the Secretary-General (A/7575)

Urgent need for suspension of nuclear and thermonuclear tests: report of the Conference of the Committee on

Disarmament (A/7741-DC/232; A/C.1/L.485 and Add.1-3 and A/C.1/L.486) (*continued*)

Conference of Non-Nuclear-Weapon States (*continued*):

- (a) Implementation of the results of the Conference: report of the Secretary-General (A/7677 and Corr.1 and Add.1-2);
- (b) Establishment, within the framework of the International Atomic Energy Agency, of an international service for nuclear explosions for peaceful purposes under appropriate international control: report of the Secretary-General (A/7678 and Add.1-3);
- (c) Contributions of nuclear technology to the economic and scientific advancement of the developing countries: report of the Secretary-General (A/7568 and A/7743)

GENERAL DEBATE (*continued*)

1. Mr. MEHDI (Pakistan): At the very outset my delegation would like to express its appreciation for the enlargement last August of the Eighteen-Nation Committee on Disarmament now designated as the Conference of the Committee on Disarmament, with eight new members, including my country. It was, we feel, an appropriate response to the demand for making the Committee a more balanced and representative body and, perhaps, a more effective one. The process, however, is not complete or final. We cannot help but remark that the non-participation of France and the absence of the People's Republic of China—both nuclear Powers—from the negotiations on disarmament is still a serious impediment to the real success of those negotiations. The Pakistan delegation is convinced that this impediment will have to be removed if any real progress is to be achieved in this field.

2. Today man for a diverse number of reasons—out of sheer inventive genius unrestrained by humane considerations, out of fear, suspicion and misconceived ideas about his security—has suspended a veritable sword of Damocles over this planet. Fortunately, he is coming to grips, with keener awareness, with the forces of his own creation that are hurtling him down a suicidal path.

3. It is not possible to approach a debate on disarmament except with the hope that reason and logic will prevail to extricate mankind, before it is too late, from the terror generated by an irrational accumulation of weapons. Acquisition of greater military power does not necessarily mean greater security. In fact, it may lessen it, especially if the rival side reacts by building new strategic weapon systems, thus raising the spectre of a first-strike capability.

4. In spite of a not-too-encouraging history, the overriding necessity for general and comprehensive disarmament under

strict and effective international control cannot be gainsaid. As we all know, after years of practically fruitless discussions, meaningful negotiations on this subject commenced only in March 1962, after the United States and the Union of Soviet Socialist Republics had reached agreement on the general principles within the framework of which disarmament negotiations should be conducted¹ and on the composition of the negotiating body [see resolution 1722 (XVI)]. Both these agreements were approved by the General Assembly at its sixteenth session. Ever since, the Committee on Disarmament has been meeting every year and submitting its reports to the Disarmament Commission and to the General Assembly. The Committee has generally been unable to obtain positive results and has stated in its reports that it could not reach any agreement either on questions of general and complete disarmament or on measures aimed at lessening international tensions. The General Assembly, for its part, has been taking note of the Committee's reports and emphasizing the necessity of giving priority to reaching agreement on the non-proliferation of nuclear weapons and a comprehensive test ban treaty. The main task of the Committee, namely, the conclusion of an agreement on general and complete disarmament, remains unfulfilled.

5. My delegation, while addressing the First Committee on 13 May 1968 [1566th meeting], welcomed the draft treaty on the non-proliferation of nuclear weapons as one designed to prevent any further spread of nuclear armaments to States other than the five existing nuclear Powers. We are on record, nevertheless, as having voiced the apprehension that the Treaty did not provide against vertical proliferation. It is against that background that we welcome the initiative, at Helsinki, of the bilateral negotiations concerning strategic arms limitation. Apart from their intrinsic value, we see these talks signalling a common realization on the part of the two super-Powers of the futility of an endless arms race. As such, these talks, if successful, may give an impetus to efforts towards comprehensive non-proliferation.

6. My delegation would therefore like to pay a tribute to the far-sightedness of the United States and the Union of Soviet Socialist Republics in commencing the current strategic arms limitation talks. This event is gratifying particularly for my delegation, because last year, in this Committee, as well as at the Non-Nuclear-Weapon States Conference, you, Mr. Chairman, as the representative of Pakistan, voicing the conviction of non-nuclear-weapon States, and suggested that the Soviet Union and the United States should enter into bilateral talks to limit the strategic nuclear arms race as a demonstration of the good faith pledged by them in article VI of the Treaty on the Non-Proliferation of Nuclear Weapons. The initiative at Helsinki is, at least, indicative of the political will of these two major nuclear-weapon Powers to come to an understanding whereby further testing and development of new strategic weapons with nuclear warheads may be slowed down, and preferably halted. It is our earnest hope that substantial agreement will result from these talks. Even though what will result will be a measure of non-armament rather than disarmament, it will indubitably furnish a sign

that, at long last, the trend towards ever-new weapons has begun to be reversed.

7. In the present times, negotiations on issues of great complexity tend to be tortuous and protracted. Events and new developments, moving at a faster pace, often overtake them and detract from the value of their original purpose or render them obsolete. There is therefore an imperative need to arrest such events as far as possible and to freeze new developments until the successful completion of negotiations. It is in that spirit that my delegation welcomes the initiative taken by the Ambassador of Mexico, Mr. García Robles, in submitting the draft resolution A/C.1/L.490, which appeals to the Governments of the Union of Soviet Socialist Republics and the United States to agree on a moratorium on further testing and deployment of new offensive and defensive strategic nuclear-weapon systems. The delegation of Pakistan is happy to be a co-sponsor of this draft resolution. We earnestly hope that the appeal—which may well spell a process of deceleration of the nuclear arms race—will be unanimously endorsed by the General Assembly and will be viewed by the two super-Powers in the spirit in which it is being made.

8. Last year, we had also suggested that the two super-Powers should agree in principle to end underground nuclear tests above a specified and instrumentally verifiable size—namely, magnitude 4.75 which according to the SIPRI report of last year,² is almost 100 per cent possible to identify through teleseismic means. Today we reiterate that suggestion. A number of other representatives have also done so. We support and commend the eloquent plea made by the representative of Sweden for an immediate comprehensive test ban treaty.

9. Undaunted by the scant progress achieved so far, the Swedish delegation, with its usual perseverance and mastery of the subject, has presented draft resolution A/C.1/L.486, which calls for a suspension of nuclear weapon tests in all environments. My delegation appreciates the motivating principle of this draft resolution. However, we are constrained to point out that it seeks to impose obligations on States which have been excluded from the negotiations leading to the creation of those obligations. I should like to make it very clear that it is only on account of this matter of principle that my delegation has not sponsored this draft resolution. Subject to this reservation, however, we shall vote for it.

10. My delegation shares the regret voiced by others at the lack of agreement among the super-Powers concerning this issue. The primary obstacle to reaching an agreement has been the question of verification and control. With the development of technology, however, there is cause for optimism that verification can be carried out without resorting to on-site inspections. Seismic detections, coupled with data monitored from earth resources satellites, point a way to the solution of this problem. Realizing that fact, my delegation is happy to sponsor the Canadian draft resolution contained in document A/C.1/L.485 and Add.1-3, which calls for the provision of certain information from

¹ See *Official Records of the General Assembly, Sixteenth Session, Annexes*, agenda item 19, document A/4879.

² *SIPRI Yearbook of World Armaments and Disarmament 1968-1969* (Stockholm, Almqvist and Wiksell; New York, Humanities Press; London, Gerald Duckworth and Co. Ltd.).

States and specialized agencies in the context of the creation of a world-wide exchange of seismological data which would facilitate the achievement of a comprehensive test ban treaty. We are convinced that this exchange of seismic data will prove to be a vital step in overcoming what the representative of Canada described as “divergencies which exist on the vexing problem of verification of a comprehensive test ban” [1692nd meeting, para. 95].

11. We welcome the ratification of the non-proliferation Treaty by the Union of Soviet Socialist Republics and the United States. We should also like to express the hope that this successful fulfilment of the first requirement will provide an incentive for the signature of the Treaty by the near-nuclear States. In this context the signature of the Federal Republic of Germany last Friday is an important and positive development. Last year, while endorsing the objectives of the non-proliferation Treaty, the Foreign Minister of Pakistan stated [1691st plenary meeting] that the value and effectiveness of the Treaty would depend upon the extent of adherence that it would command, particularly from the near-nuclear States. While articulating that belief, we reiterate that Pakistan’s own signature will depend on inescapable regional considerations.

12. I come next to the draft treaty on the prohibition of the emplacement of nuclear weapons and other weapons of mass destruction on the sea-bed and the ocean floor and in the subsoil thereof [A/7741-DC/232,³ annex A]. The delegation of Pakistan is strongly in favour of comprehensive demilitarization of the sea-bed and would have very much liked to see an outlawing not only of nuclear but also of conventional weapons in that environment. However, as the measure of big-Power agreement necessary for the achievement of that aim has not been forthcoming, the world community has perforce to be satisfied, for the time being, with the present draft treaty which the authors themselves admit is of limited application. My delegation therefore welcomes the draft treaty—which is an obvious improvement over the earlier USSR-United States draft—only as a preliminary, but essential, step towards a comprehensive demilitarization of the sea-bed and the ocean floor. My delegation supports the Swedish suggestion for an additional article that would specifically call upon each party to undertake to continue negotiations in good faith on further measures relating to a more comprehensive prohibition of the use for military purposes of the sea-bed and the ocean floor and the subsoil thereof [*ibid.*, annex C, section 36]. We should like to see as soon as feasible all weapons, with the possible exception of those of a purely passive, defensive nature, outlawed and eliminated from the area in order that the goal established by the General Assembly of the exclusively peaceful use of the area may become a reality.

13. Let me now comment briefly on some of the articles of the treaty.

14. For the reasons so well articulated by the representatives of the United Kingdom, Argentina and Ecuador, and by other delegations, we consider that the area of prohibition in article I should be defined by laying down a

twelve-mile limit rather than by a reference to the maximum contiguous zone provided for in the 1958 Geneva Convention on the Territorial Sea and the Contiguous Zone.⁴

15. In regard to article III, we share the concern of those delegations which feel that the verification and complaint procedure should have been strengthened and made more explicit in the draft treaty. We are fully cognizant of the fact that the issue is a sensitive one. In our view, however, this does not justify the absence of the elaboration of an adequate procedure to safeguard sufficiently the vital interests and rights of coastal States, especially of the developing countries which are lacking in knowledge of marine technology. Considering that the draft treaty is to be of unlimited duration, the developing countries cannot but take a long-term view of their interests and wish to protect them jealously.

16. We consider the working paper submitted by the delegation of Canada on a revised text of article III [A/C.1/992] to be a considerable improvement. We welcome this Canadian initiative. We would hope that the real negotiations for which the representative of Brazil has appealed will take place on the Canadian proposal as well as on other proposals that have been or may be put forward. We note with interest the reference to “appropriate international procedures” in paragraph 3 of the Canadian working paper. We should like to see this reference clarified so as to include the possibility of recourse to such international machinery as may be considered necessary or desirable to establish in the future.

17. Finally, we support the view of the United Kingdom that the disclaimer clause should be made into a separate article. It should be in the nature of a global provision applying to the whole treaty in order that the rights of a coastal State on its continental shelf under international law are in no way prejudged or prejudiced.

18. Turning to the question of chemical and bacteriological (biological) weapons, my delegation would like to record its appreciation and gratitude to the Secretary-General and to all those who made possible the comprehensive report.⁵ The report brings into sharp focus the fact that chemical and bacteriological weapons, like nuclear weapons, are weapons of mass destruction and pose as great a danger to mankind, if not a greater one. The report clearly points out that any protection or defence against these weapons would involve enormous cost and at best would be of limited effectiveness.

19. Consequently, the delegation of Pakistan has no hesitation whatsoever in supporting most strongly the three recommendations made by Secretary-General in his foreword to the report, namely, that the Members of the United Nations should undertake: to renew the appeal to all States to accede to the Geneva Protocol of 1925;⁶ to

⁴ Signed at Geneva on 29 April 1958.

⁵ *Chemical and Bacteriological (Biological) Weapons and the Effects of Their Possible Use* (United Nations publication, Sales No. E.69.I.24).

⁶ Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June 1925.

³ *Official Records of the Disarmament Commission, Supplement for 1969*, document DC/232.

make a clear affirmation that the prohibition contained in the Geneva Protocol applies to the use in war of all chemical, bacteriological and biological agents (including tear gas and other harassing agents) which now exist or which may be developed in the future; and to call upon all countries to reach agreement to halt the development, production and stockpiling of all chemical and bacteriological (biological) agents for purposes of war and to achieve their active elimination from the arsenal of weapons.

20. Following the adoption by the General Assembly of resolution 2162 B (XXI), an additional number of States have ratified the Protocol. We particularly welcome President Nixon's statement of 25 November that steps would be initiated for ratification by the United States, as well as the statement that Japan also intended to do so.

21. In regard to the prohibition of chemical and bacteriological weapons my delegation, along with eleven other countries which are members of the non-aligned group in the Committee on Disarmament, has submitted a draft resolution for adoption by the First Committee seeking to declare as contrary to the generally recognized rules of international law, as embodied in the Geneva Protocol, the use in international armed conflicts of any chemical or biological agents of warfare. This draft resolution is a revised version of document ENDC 265 [A/7741-DC/232, annex C, section 30], which the twelve presented in the Committee on Disarmament earlier this year after considerable discussion had taken place on the subject. The revisions reflected in the modified text of draft resolution A/C.1/L.489 and Add.1 will we hope serve to promote as wide a consensus as possible in its favour.

22. In regard to the contention that only parties to the Geneva Protocol can interpret its scope, it has already been pointed out in the course of this debate that, subsequent to the adoption of the Protocol, the principal parties did affirm that it prohibits the use in war of all—and I stress all—chemical and biological agents of warfare. We believe that an endorsement by the overwhelming majority of States Members of the United Nations of the recommendation contained in the foreword to the experts' report will be yet another confirmation and strengthening of the interpretation of scope already affirmed by a large number of parties to the Geneva Protocol.

23. In regard to the question of the conclusion of a convention on the prohibition of the development, production and stockpiling of chemical and bacteriological (biological) weapons and on the destruction of such weapons, we note with great interest the draft contained in ENDC/255/Rev.1 submitted by the delegation of the United Kingdom [*ibid.*, section 20]. While my delegation is in broad and general agreement with the objectives of the draft convention and the draft resolution, we should like to offer the following comments in the spirit of a constructive critical appreciation.

24. We cannot entirely dismiss the contention that the prohibition of the use of biological weapons embodies in a new instrument may tend to undermine and supplant the Geneva Protocol. Further, by separating biological weapons from chemical weapons one may be led to the unwarranted interpretation that the use of the chemical weapons is

perhaps not so condemnable as that of biological weapons. Several delegations have spelled out the reasons why the question of the prohibition of the development, production and stockpiling of biological weapons should not be separated from a similar prohibition of chemical weapons. Recognizing their force, the Pakistan delegation also prefers that both questions should be dealt with together in a single convention. This is not to say that we do not appreciate the important contribution to the political technology of disarmament made by the United Kingdom in its draft convention. The procedures spelled out for the investigation of a complaint by a State which becomes a victim of biological methods of warfare, together with the Security Council draft resolution giving the Secretary-General standing authority for the investigation of such complaints without delay, and the advance declaration of intention by the parties to provide or support appropriate assistance, reflect the considerable amount of thought and technical skill which has been brought to bear on the formulation of the text of that document.

25. The obvious and indubitable merit of the Soviet draft convention on the prohibition of the development, production and stockpiling of chemical and bacteriological (biological) weapons and on the destruction of such weapons [A/7655] is that it deals with the dangers flowing from both kinds of weapons as an integral whole in accordance with the traditional approach. At the same time we share the doubts that are troubling several delegations about the adequacy of the measures spelled out to implement the prohibitions. Consequently, we believe that it is necessary to request the Committee on Disarmament to give further consideration to the question of elaborating an effective convention on the prohibition of the development, production and stockpiling of chemical and biological weapons and, in particular, to bringing about a synthesis of the United Kingdom and Soviet drafts which seem to us in some ways to complement each other.

26. We have listened very carefully to what the representative of Japan has to say [1697th meeting] about entrusting to a group of competent scientists and technologists the study of technical problems relating to verification of the production and stockpiling of chemical and biological weapons. Such a study seems necessary if the question of verification is to be satisfactorily resolved and the convention is to be made truly effective in its prohibitions.

27. I should now like to make a few comments about the agenda item relating to the Conference of Non-Nuclear-Weapon States. The two main concerns of that Conference at Geneva last year were, first, measures to assure the security of non-nuclear-weapon States and, second, the utilization of nuclear energy for peaceful purposes.

28. Speaking about the latter concern first, my delegation appreciates the attention given to the recommendations of the Conference⁷ by the International Atomic Energy Agency. Nevertheless it is apparent from the report of the Secretary-General [A/7677 and Corr.1 and Add.1-2] that

⁷ See *Official Records of the General Assembly, Twenty-third Session*, agenda item 96, document A/7277 and Corr.1 and 2, para.17.

no tangible progress has yet been registered, especially on the question of access for the developing countries to special fissionable materials and of finance for peaceful nuclear energy activities. With regard to the latter question, it appears that the possible impact of the application of nuclear technology on the economies of developing countries need to be fully appreciated by those agencies which are the international sources of finance in this regard. The reply to the Secretary-General made by the President of IBRD [A/7677 and Corr.1, para. 9], while fully justified from a conventional banking point of view, does not seem to be oriented towards the achievement of the long-term contributions and indirect benefits of peaceful nuclear projects in developing countries. As the group of experts has suggested in its report [A/7568], this is a problem which needs thorough study by the General Assembly and other competent organizations. We earnestly hope that such a study will induce the agencies concerned to adopt a more sympathetic and flexible approach.

29. While IAEA seems to have reacted sympathetically to the suggestion made at the Conference for broadening the composition of its Board of Governors, we have not yet witnessed a decision which would remove the widespread dissatisfaction that was articulated in resolutions H and K of the Conference of Non-Nuclear-Weapon States.

30. The most important question in this field which is also related to the aims and objectives of the Treaty on the Non-Proliferation of Nuclear Weapons is the universal application of safeguards which would ensure against the diversion of the peaceful nuclear activities to weapons purposes. In particular, if IAEA is called upon under its Statute to provide nuclear explosion devices, its safeguards system must automatically be made applicable to the nuclear facilities and establishments of the requesting country.

31. In its report to the Secretary-General, IAEA stated that a growing number of bilateral arrangements are being transferred to the Agency; and it rightly commended the significant step taken by the Latin American countries signatories of the Treaty for the Prohibition of Nuclear Weapons in Latin America of negotiating agreements with the Agency for the application of its safeguards to their nuclear activities [A/7677 and Corr.1, annex, para. 41].

32. My delegation welcomes this forward-looking trend, but we emphasize the fact that there is no room for complacency as long as the trend remains confined to certain groups of countries. The universalization of any arrangements that would bring peaceful nuclear activities under the safeguards system of the Agency cannot be brought about by the efforts of the Agency itself. This is a matter for deliberation by the entire membership of the United Nations. We would therefore recommend that the implementation of the results of the Conference of Non-Nuclear-Weapon States should be inscribed on the agenda of the twenty-fifth session of the General Assembly so that these vital questions can be reviewed.

33. I need hardly emphasize that as a developing country itself Pakistan wholeheartedly supports the objective of the full utilization of the potentialities of nuclear energy for economic development. To our mind, however, this objec-

tive is necessarily balanced by that of preventing the spread of nuclear weapons.

34. We fully support the idea of establishing, within the framework of IAEA, an international service for nuclear explosions for peaceful purposes under appropriate international control. However, in order to guard against the possibility of the proliferation of nuclear weapons through such means, my delegation would emphasize the necessity of nuclear explosive devices being manufactured by the nuclear-weapon States and the nuclear explosions for peaceful purposes being conducted under the supervision of the Agency being vested only in such States. I would stress that this does not entail any discrimination between one developing country and another. Our suggestions in this regard are incorporated in the reply made by the Pakistan Government to the Secretary-General's query regarding the establishment of the international service [A/7678, para. 18].

35. Turning now to security measures, my delegation would like to state that only nuclear disarmament can completely assure the security of non-nuclear-weapon States from the threat or danger of nuclear attack. Pending nuclear disarmament, the collective quest of these States has been for measures which would go some way to providing them with an assurance against such threat or attack. Pakistan expressed its conviction at the previous two sessions of the Assembly that neither the non-proliferation Treaty nor the joint declaration of three nuclear-weapon Powers nor Security Council resolution 255 (1968) was adequate for protection from nuclear threat. It will be recalled that the declaration of the Conference of Non-Nuclear-Weapon States, which was unanimously endorsed, emphasized the necessity for an early solution of the question of security assurances in the nuclear era.

36. We realize that the question is extremely complex and affects States in different ways depending on their political alignments, geographical location and the characteristics of the region in which they are situated. We are not so naïve as to expect that there can be a simple formula which will be a panacea for the problem of all. Yet the intense effort symbolized by the Conference of Non-Nuclear-Weapon States had as its object at least the initiation of certain understandings which would alleviate the fears especially of those non-nuclear-weapon States that are vulnerable and that do not have a joint defensive alliance with any nuclear weapon Power.

37. We observe with regret that during the past year nothing has happened which would either make us modify our original views or render this effort unnecessary. The Secretary-General's report naturally does not dwell on this question because it is a subject for multilateral international negotiations. Nor would one expect progress on this issue from the proceedings of the Conference of the Committee on Disarmament, which is occupied with other urgent items relating to disarmament or to its collateral measures and is, in any case, not meant to provide solutions to a political problem of this nature which concerns the entire membership of the United Nations. My delegation would therefore urge continued attention to the problem of security assurances especially on the part of the nuclear-weapon Powers that are also permanent members of the Security

Council. Here again the non-participation of the People's Republic of China and France in disarmament negotiations is a very serious hindrance to the provision of credible security assurances which would be non-discriminatory and independent of existing international alliances.

38. We can unreservedly state that as far as Pakistan is concerned we do not envisage any confrontation on that issue between the nuclear-weapon and the non-nuclear-weapon States. What is needed is an unbiased appreciation on the part of each group of the difficulties and concerns of the other. If that spirit prevails one cannot conceive of its being impossible that accommodations and understandings will be reached which will be reassuring for all. As before, we stand ready to offer our fullest co-operation.

39. Mr. AMERASINGHE (Ceylon): We witnessed last month yet another exploit in the long and glorious record of human genius, adventure and intrepidity when Apollo 12 and its three astronauts successfully completed their mission to the moon with a precision and perfection that bears no parallel. To the United States Government, to its scientists and technicians and to its three astronauts, whose singular modesty, quiet confidence and invincible courage, in emulation of the example of their pioneering colleagues, ensured the success of this further excursion into outer space, the delegation of Ceylon would like to express its profound admiration and warm congratulations.

40. However, while the physical sciences maintain their triumphal progress with almost breathtaking speed, we continue to falter and fumble in the field of moral science in our efforts to create conditions of international good will, mutual faith and trust, which are the most solid guarantees of peace and security. It is a commonplace that war can be avoided and peace ensured not through the curtailment of arms and the gradual reduction of the destructive potential or of the volume of armaments, but through the elimination of the causes of war, which are cupidity, the lust for power, mutual suspicion and mistrust. It is because the physical is more tangible than the moral that, in the belief that the capacity to wage war will reduce the inclination to do so, international efforts have been directed towards the gradual elimination of the most lethal and most inhuman forms of warfare.

41. The question of disarmament is the most important and the most complex of those before the First Committee. None of the instruments of international accord concluded so far regarding disarmament have been completely satisfactory, but they do constitute a record of achievement, however slight, that holds out some hope and promise of further progress towards what we are compelled to regard as the Utopia of general and complete disarmament. That measure of progress has been possible because of the gradual relaxation of tensions, despite the conflicts that still exist, and it is the improvement in the relationship between the super-Powers—an improvement which we sincerely hope will be steadily sustained in the future—that accounts for that success and confirms the self-evident thesis that greater good will and increasing mutual trust, or progressively declining mutual distrust, will promote disarmament.

42. In the last two years the rate of progress has been far more encouraging than in the preceding period of five years

that elapsed after the conclusion of the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water. That Treaty had no effect whatsoever on the development of even more sophisticated and lethal nuclear weapons nor did it help to reduce their production. What it did was to prohibit tests which could contaminate the atmosphere, but, as the representative of Sweden, Mrs. Myrdal, observed [1695th meeting], the menace of radioactivity resulting from underground tests still permissible to the nuclear Powers which have assumed the obligations of the partial test ban Treaty has not been eliminated.

43. The principal achievement in the last two years has been the non-proliferation Treaty. The fears expressed on the occasion of the conclusion of that Treaty that it might prove to be nothing more than a palliative to the anxieties of the international community have fortunately been to a great extent dispelled as a result of the ratification of the Treaty by the two super-Powers. The commencement of talks on strategic arms limitation at Helsinki on 17 November also provides an earnest of the good intentions expressed by the Powers concerned in the provisions of article VI of the non-proliferation Treaty. We should like to express to the Governments of the United States and the USSR our appreciation of the efforts they are making and our best wishes for the success of the Helsinki talks.

44. The most important result of the disarmament negotiations conducted at Geneva this year is the presentation by the Co-Chairmen of the Conference of the Committee on Disarmament of a draft treaty on the prohibition of the emplacement of nuclear weapons and other weapons of mass destruction on the sea-bed and the ocean floor and in the subsoil thereof [A/7741-DC/232⁸, annex A]. That draft treaty is of special interest to the Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction. Through the adoption of resolutions 2340 (XXII) and 2467 (XXIII) the United Nations membership overwhelmingly endorsed the principle of reserving the sea-bed and ocean floor exclusively for peaceful purposes. It is abundantly clear from those two resolutions that the General Assembly was preoccupied as much with the possibility of the sea-bed and the ocean floor being used for military purposes as with the equally disturbing possibility of its resources becoming the prey of competitive exploration and exploitation.

45. My delegation would like to recall that the information presented to the *Ad Hoc* Committee to Study the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction showed that the threat of the arms race, particularly the nuclear arms race, being extended beyond the limits of national jurisdiction into the area of the sea-bed and ocean floor, while once a matter of speculation, had begun to assume deeply disquieting proportions. Rapid advances were being made in submarine and anti-submarine warfare techniques and in the development of nuclear-fuelled missile-carrying submarines. There was a strong likelihood that the marine environment and the sea-bed and ocean floor would soon accommodate submarine installations placed on the continental shelf from

⁸ Official Records of the Disarmament Commission, Supplement for 1969, document DC/232.

which nuclear warheads could be released. Among the possibilities then envisaged were missiles enclosed in pressure capsules and stationed on the ocean floor and also missile bases or silos stationed on the sea-bed and serving as a substitute for their land-based equivalents, enjoying a degree of security from detection scarcely conceivable for similar installations on land and at the same time enjoying the advantage of being remote from the centres of population. We knew about the Polaris submarine and we have been told of the Poseidon and its hydroheaded potential. We became conscious of the possibility of the areas of the continental shelf lying within range of a likely enemy being used to accommodate shorter range missiles or intermediate ballistic missiles, thereby eliminating the need for intercontinental ballistic missiles, as also of anti-ballistic missiles being placed on the continental shelf or the ocean peaks adjacent to a likely enemy and carrying with them the possibility of far greater strategic effectiveness than similar devices placed on the territory of a country.

46. In addition, developments with nuclear mines placed on the ocean floor and mobile installations operating under the sea-bed and capable of being used for nuclear weapons employment and for research and detection operations were within the range of possibility. Last but not least was the possibility of chemical and biological warfare being conducted in the marine environment by such means as the poisoning of plankton and through warheads carrying chemical and biological weapons whose lethal consequences would not be confined to the marine environment.

47. Those were frightening possibilities and although much of the informed opinion at that stage was inclined to regard those fears as exaggerated because the likelihood of all those developments materializing was considered remote, there was a widespread feeling that international agreement had to be reached with the least possible delay to preserve the sea-bed and ocean floor exclusively for peaceful purposes and free from all military use. Otherwise research and development directed towards the nuclearization of the sea-bed and the ocean floor might under the compulsion of security and military considerations be advanced to the stage where it would be too late to secure agreement on the reservation of the area exclusively for peaceful purposes.

48. Those fears were decisively confirmed by the representative of the United States, Ambassador Yost. In his statement on 17 November [1691st meeting] Ambassador Yost stated quite categorically that it is already within the capability of the United States to emplace nuclear weapons on the sea-bed and that such action would not be without some military advantage. He added that, for example, nuclear weapons emplaced under hundreds of feet of water could constitute a deterrent force which would be difficult for an adversary to eliminate with offensive missiles.

49. In the light of the proposals presented by the Co-Chairmen of the Conference of the Committee on Disarmament in their draft treaty, reference to those apprehensions might appear to be superfluous. It might even seem that I am flogging a dead horse as the draft treaty seeks to eliminate those fearful possibilities. But my purpose is as much to assess the value of the provisions of the draft treaty as to stress the need for ensuring that, as far

as the area of the sea-bed and ocean floor beyond the limits of national jurisdiction is concerned, the present provisions of the draft treaty and future prospects for its revision will permit the attainment of the objective stated in the title of the sea-bed item. While the purpose of the draft treaty is to prevent the extension of the arms race to the area of the sea-bed and ocean floor, it might well be that what it permits within the area of the sea-bed and ocean floor beyond the limits of national jurisdiction—an area that I might for the sake of convenience describe as the international zone—is not fully consistent with the objective of the reservation of that international zone for exclusively peaceful purposes. This is where the purely disarmament aspect of the matter differs in quality from the approach that is required for the attainment of the objectives of the Sea-Bed Committee. For that reason the Committee on the Sea-Bed held a special session, pursuant to the relevant provisions of its own mandate contained in operative paragraphs 3 and 4 (b) of resolution 2467 A (XXIII), to consider the question within the context of the title of the item, taking into account the negotiations in the Conference of the Committee on Disarmament. The reactions of the members of the Committee to the provisions of the draft treaty are recorded in the report of the special session which has been circulated as document A/7622/Add.1.

50. The prevention of the arms race being extended to the sea-bed and ocean floor may be regarded as the exclusive concern of those who are capable of participating in the race, and the rest of the world may be treated as interested spectators, but the reservation of the international zone of the sea-bed and ocean floor exclusively for peaceful purposes has been recognized as the vital concern of all mankind because of the possible interference with the exploitation of the resources of that area that could result from the military uses of the sea-bed and ocean floor.

51. Having said that, we must congratulate the Co-Chairmen of the Conference of the Committee on Disarmament on the degree of agreement that they have reached, as expressed in the draft that they have made available as annex A to the report of the Conference of the Committee on Disarmament. It would appear that so far that draft has not been formally presented to this Committee in a manner which would enable amendments to be formally proposed. The precise status of the draft is somewhat obscure and we would welcome some elucidation on that point. We presume that any criticism of the draft or any observations regarding its provisions would be treated by the authors of the draft as matters for negotiation. It is in that spirit and not as an academic exercise that we approach the discussion and propose to give our observations.

52. The preamble to the draft treaty in its reference to the recognition of the common interest of mankind in the progress of the exploration and use of the sea-bed and ocean floor for peaceful purposes does not in our opinion clearly express the real desire of the international community. That desire is the reservation exclusively for peaceful purposes of the sea-bed and ocean floor and we would prefer to see it stated in so many words and also the conviction expressed that this treaty is a step not merely towards the exclusion of the sea-bed and the ocean floor and the subsoil thereof from the arms race but also towards its reservation exclusively for peaceful purposes. If that

intention were expressly stated it would dispel the impression that the preamble is no more than a piece of conventional verbiage. We therefore support the Swedish proposal [A/7741-DC/232, annex C, section 36] that the operative part of the draft treaty should contain a commitment similar to article VI of the Treaty on the Non-Proliferation of Nuclear Weapons. Under the Swedish proposal each of the parties to the treaty would undertake to continue negotiations in good faith on further measures relating to a more comprehensive prohibition of the use for military purposes of the sea-bed and the ocean floor and the subsoil thereof. We would suggest a slight amendment to the Swedish proposal which would require the efforts of the parties to the treaty in their future negotiations to be directed towards a comprehensive prohibition of military uses and not merely a “more comprehensive prohibition”.

53. We agree with the criticism directed against article I of the draft treaty. We see no reason why the definition of the “weapon-free zone” in articles I and II should be made with reference to the 1958 Geneva Convention on the Territorial Sea and the Contiguous Zone. One objection to such a form of definition is that it incorporates, by reference, an agreement to which only about one third of the States of the international community are parties, and could thereby create difficulties as far as States not parties to the 1958 Convention are concerned.

54. A second objection is that the 1958 Geneva Convention is liable to amendment, and any such amendment would automatically affect the scope of the prohibition imposed by this treaty. We would presume that this is not the intention of the Co-Chairmen of the Conference of the Committee on Disarmament.

55. These objections could be overcome by defining the weapon-free zone in article I, paragraph 1, as a zone of specified width—twelve miles has been suggested—measured outwards from the appropriate base line.

56. As regards the type of weapons that would be banned under the treaty, it has been stated by Ambassador Yost that the treaty would prohibit only those weapons which it might be militarily advantageous to station on the sea-bed, that it would be extremely expensive to emplace any weapons on the bottom of the ocean and that, therefore, only weapons of mass destruction could have enough significance militarily to warrant the expense of operation from the sea-bed and ocean floor. It would therefore appear that any weapon that could have enough significance militarily to warrant the expense of operation from the sea-bed and ocean floor would have to be a weapon of mass destruction. The argument sounds plausible. We should like to be assured that the term “weapons of mass destruction” covers, *inter alia*, chemical and biological weapons.

57. Another observation which we wish to make regards submarines with nuclear capability or with the capacity for mass destruction. It would appear to us that they fall within the category of “facilities specifically designed for storing, testing or using such weapons”—namely, nuclear weapons or any other types of weapons of mass destruction—and that they are thus among the items prohibited under article I of the draft treaty. We would wish to point out that even the temporary use of the sea-bed and ocean

floor by such submarines for purposes even incidental to their operation could interfere with the peaceful use of the sea-bed and ocean floor, and should be covered by the ban. We would prefer to see the provisions of article I applying generally to, and therefore prohibiting, the establishment, beyond the maximum contiguous zone, of military bases, fortifications, or similar installations.

58. We share many of the doubts that have been expressed regarding inadequacy of article III of the draft treaty, and especially those expressed by Canada, Brazil, Argentina, Sweden and Ecuador, to mention but a few. Some of the changes we should like to see effected are a matter of drafting while other are matters of substance.

59. Under article III, paragraph 1, of the draft treaty, the right to verify a suspected violation of the treaty has to originate in the existence of doubts concerning the fulfilment of the obligations assumed under the treaty, and the right of verification itself has to be exercised without interfering with the activities themselves or otherwise infringing rights recognized under international law, including the freedoms of the high seas. In our opinion, the mere existence of doubts is not sufficient, as those doubts might well be frivolous or irrational. We would prefer to relate the right of verification to the existence of reasonable grounds for believing that a State is not acting in accordance with the obligations assumed under the treaty.

60. Similarly, in paragraph 3 of article III, it is stated that where consultation and co-operation have not removed the doubts and there is serious question concerning the fulfilment of the obligations assumed under the treaty, recourse could be had to the Security Council. Here too the concept of what constitutes a serious question would give rise to insuperable problems of interpretation, as it has never to our knowledge been the subject of judicial determination. It is therefore far more preferable to adhere to terminology such as “reasonable doubts”, which is understood in at least some legal systems.

61. The right of verification through observation should itself be exercisable, provided that such observation does not interfere with any activities or the exercise of any rights that are recognized under international law. It is not clear to us whether the words “such activities” in article III, paragraph 1, are governed by the words “recognized under international law”. If they are, there is a need for improvement in the drafting; if they are not, they should be made so.

62. Again, in article III, paragraph 1, the freedoms of the high seas are specially mentioned as being illustrative of the rights under international law which are to be recognized. We consider the special reference to the freedoms of the high seas, as illustrative of the rights under international law which are to be recognized, to be inappropriate.

63. Any rights conferred by the treaty with respect to that portion of the sea-bed and ocean floor which falls within the continental shelf of a coastal State can only be regarded as subsidiary to the rights already recognized by international law. There should be no diminution of those rights, even by implication, in any other international instrument.

64. Two dangers should be avoided here. One is that a State party might use the right of verification of a suspected violation of the treaty as a pretext for infringing the rights of a coastal State under international law regarding its continental shelf. The other danger is that a coastal State might itself invoke its right under international law to seek immunity from verification of a suspected violation of the treaty on its continental shelf.

65. We would wish to see the procedures regarding verification of suspected violations of the treaty duly formalized and institutionalized. There should be a system of notifying an appropriate international agency, and through it all parties, of reasonable doubts regarding the fulfilment of obligations assumed under the treaty. A registry of such notifications should be maintained. A possible violation of the treaty would be as much the concern of the coastal State as of the other parties to the treaty, and indeed of the entire international community. It is necessary, therefore, that any doubt that is expressed regarding the fulfilment of obligations assumed under the treaty should be made public. This is what we intend to achieve by a registry of notifications. By the same token, it should be open to any State, after duly notifying the coastal State, to participate in the verification.

66. We are glad to note that both the Canadian working paper of 27 November 1969 [A/C.1/992] and the Brazilian working paper of 28 November 1969 [A/C.1/993] go far to meeting those points.

67. We attach importance to the need for institutionalizing the verification procedure because the draft treaty does not make adequate provision for the area that would fall outside national jurisdiction and where any special national interest *per se* would not be involved.

68. The present provisions of the draft treaty, with the amendments and refinements we have suggested, would by and large be satisfactory as far as the area beyond the maximum contiguous zone but within national jurisdiction is concerned. Beyond the area of national jurisdiction—that is, in the area we have already chosen to describe as the international zone—the international status of the zone could best be preserved by entrusting the role of watch-dog to some international authority. It is here that that need for institutionalization of the verification procedures assumes importance. These procedures should be undertaken by, or under the auspices of, or in collaboration with, some international agency. For the time being that agency might be the Secretary-General of the United Nations or, for example, IAEA. Later the function might be transferred to the international machinery that is proposed should be established with jurisdiction over the area of the sea-bed and ocean floor beyond the limits of national jurisdiction. We believe that the States parties to the treaty would be willing to co-operate with the international authority or machinery by placing at its service, whenever occasion demands, any resources that they themselves maintain for verification purposes.

69. Finally, my delegation would like to consider the question of chemical and bacteriological (biological) weapons. The Committee has four draft resolutions on this aspect of disarmament: A/C.1/L.487, presented by Bulgaria

and eight other countries, regarding the conclusion of a convention on the prohibition of the development, production and stockpiling of chemical and bacteriological (biological) weapons and on the destruction of such weapons; A/C.1/L.488, a draft resolution presented by Hungary, Mongolia and Poland, the operative paragraphs of which are identical to part A and operative paragraphs 1 to 3 of part B of the third draft resolution, A/C.1/L.491, presented by Australia and five other countries; and, finally, draft resolution A/C.1/L.489 and Add.1, presented by Argentina and twelve other countries.

70. We shall support draft resolution A/C.1/L.489 and Add.1 as a timely reaffirmation of the provisions of the Geneva Protocol of June 1925 prohibiting the use in international armed conflicts of chemical and biological agents of warfare. In fact we should like to have our name added to the list of sponsors of that draft resolution.

71. We welcome the initiative taken by the United Kingdom and by the group of nine socialist countries in placing before this Committee two draft conventions: one on the prohibition of biological methods of warfare, contained in document CCD/255/Rev.1 of 26 August 1969 [A/7741-DC/232, annex C, section 20], and the other on the prohibition of the development, production and stockpiling of chemical and bacteriological (biological) weapons and on the destruction of such weapons, of 19 September 1969 [A/7655].

72. The draft convention of the United Kingdom seeks to deal with the deadlier menace of biological warfare and to arrest the process of development of those weapons while it is still, as it is stated to be, in its initial stages. On the other hand, the draft convention presented by the nine socialist countries is more comprehensive in that it seeks to prohibit the development, production and stockpiling of both chemical and biological weapons.

73. Our preference is for a comprehensive convention covering both chemical and biological weapons, though we should have no objection to the approach of the United Kingdom, provided parallel action were taken to negotiate a similar convention regarding chemical weapons. The very fact that chemical weapons are in use and that countries do not feel any obligation to refrain from using them makes it imperative that a convention on the prohibition of the development, production and stockpiling of chemical weapons should receive the same priority as any convention relating to biological weapons.

74. In conclusion, my delegation would note that a certain momentum has recently been discernible regarding disarmament. We hope that this momentum will be maintained and that the twenty-fifth anniversary of the establishment of the United Nations will be marked by final agreement on the abolition of underground nuclear tests, by the conclusion of a convention on chemical and bacteriological (biological) weapons and by a comprehensive prohibition of the use for military purposes of the sea-bed and ocean floor and the subsoil thereof.

75. Mr. ZELLEKE (Ethiopia): Once again, as in each year for many years past, our Committee is discussing the question of disarmament. The views of my delegation on

the various aspects of this question have been stated in the past on a number of occasions in this forum as well as in the Conference of the Committee on Disarmament at Geneva. I shall therefore be brief in expressing our views and our concern on this subject.

76. It would be no exaggeration if one were to say that the progress made so far towards the achievement of the goal of general and complete disarmament has been most unsatisfactory. If one were to compare this record with the performance of the United Nations in the social, economic and other fields, the paucity of achievement would become even more dramatic.

77. We all know that the problem of disarmament is not as simple as we should like it to be, nor is its solution as logical as we often assume it to be. We are perfectly aware of its complexity and of the syndrome of fear and suspicion that the problem evokes and the dominance of the expediency of national interest in any search for a solution. We are nevertheless convinced that concrete and positive measures could have been taken towards total disarmament if a genuine desire for peace and a serious apprehension of its alternative had been felt by all—a mood which no one can pretend to be prevalent in the world today.

78. At this stage, however, when the proliferation of nuclear arms is reaching the point of no return, we think that a maximum serious effort should be made towards achieving certain specific steps in order at least to stop and if possible to reverse this increasingly dangerous trend, thereby creating a good beginning for further agreements which would lead, it is to be hoped, to complete disarmament.

79. We are therefore encouraged by the commencement of the strategic arms limitation talks between the United States and the Soviet Union. While we take this opportunity of congratulating both parties on their initiative, we feel that these talks, which have been long overdue, are in fact among the last few remaining chances for stopping the mad momentum of the nuclear arms race. It is with a sober recognition of the importance of these talks and with the intention of allaying suspicion and fear and thereby creating a propitious climate for peace that we have, together with other delegations, submitted in this Committee a draft resolution containing an appeal to the two super-Powers to agree to a moratorium on further testing and deployment of the new offensive and defensive strategic nuclear-weapon systems. [A/C.1/L.490]. We hope that this Committee and the General Assembly will be fully conscious of the heavy responsibility that is incumbent upon them and will adopt this draft resolution unanimously.

80. In the field of disarmament, some steps have admittedly been taken towards the limitation or control of the arms race. My delegation does not view with favour the shift from disarmament to arms limitation, for the simple reason that the former has been neglected as a result. The momentum of the early 1960s when the Soviet Union and the United States presented their respective plans for general and complete disarmament seems to have been lost. Now the prevalent practice appears to be to disarm non-armed States and denuclearize areas where no nuclear weapons are likely to be implanted in the foreseeable future.

81. I mention this not to undermine confidence in those measures of arms control, but to emphasize the urgent need to tackle the problem of general and complete disarmament. Up to now, the nuclear Powers have continued the arms race at a very rapid pace in pursuit of an illusory concept of superiority. What the super-Powers want to achieve beyond their present "over-kill" capacity is beyond comprehension; but one thing is easy to comprehend, as the Secretary-General says in the introduction to his annual report: "as the spiral of the nuclear arms race goes up, the spiral of security goes down".⁹

82. I should like to add to this universally accepted fact that as long as the arms race continues, the general economic and social condition of the world will show very little progress. As the Secretary-General has also stated in the introduction to his annual report, the diversion of both human and physical resources and energy from peaceful economic and social pursuits to unproductive and uneconomic military purposes has been an important factor that has contributed to the lack of tangible progress in the advancement of the developing countries during the first United Nations Development Decade.

83. Now that we are on the verge of embarking on the second United Nations Development Decade, it is appropriate to ask what initiatives we should take for the attainment of that goal. With that aim in mind, and in view of the interrelated nature of disarmament and development, the Ethiopian delegation supports the Secretary-General's proposal that the 1970s should be declared a disarmament decade,¹⁰ with its own objectives and time-tables.

84. At this juncture, I should like to recall the proposal for prohibiting the use of nuclear and thermonuclear devices for war purposes, presented by the Ethiopian delegation during the thirteenth session of the General Assembly in 1958 [955th meeting]. Even though the subsequent General Assembly sessions have taken encouraging steps in that connexion, we still believe in the ultimate aim of convening the United Nations Disarmament Commission for the purpose of preparing and signing a convention for the prohibition of the use of nuclear and thermonuclear weapons.

85. A welcome event for my delegation was the coming into force of the Treaty for the Prohibition of Nuclear Weapons in Latin America, known as the Treaty of Tlatelolco, and the establishment of the Agency provided for by that agreement. High praise is due to all those who helped to make the denuclearization of Latin America a reality. What is disheartening to us, however, and discouraging for the future establishment of more denuclearized zones, is the fact that Protocol II of that Treaty has been signed by only two nuclear Powers. On this occasion it should be remembered that in 1964 the first session of the Assembly of Heads of State and Government of the Organization of African Unity¹¹ declared their desire to conclude a treaty establishing Africa as a nuclear-free zone. A positive result in the Latin American case, which from

⁹ *Official Records of the General Assembly, Twenty-fourth Session, Supplement No. 1A*, para. 28.

¹⁰ *Ibid.*, paras. 42-46.

¹¹ Held at Cairo from 17 to 21 April 1964.

now on will largely depend on the signing and ratification of the Treaty by all nuclear Powers, would undoubtedly give impetus to the efforts already under way among African States to elaborate a convention for the denuclearization of Africa.

86. On the other hand, we greatly appreciate the recent ratification of the Treaty on the Non-Proliferation of Nuclear Weapons by the United States and the Soviet Union. We hope that it will lead to further ratification of that Treaty by other States so that it will soon be brought into force. Nevertheless, we should not lose sight of the fact that effective prohibition of horizontal proliferation must proceed parallel with tangible vertical reduction of weaponry if the non-proliferation agreement is to be a self-sustaining and viable arrangement.

87. Six years have passed since the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water was agreed upon. That Treaty, which was a great step forward, regrettably has not been followed, as was widely expected, by a comprehensive treaty. Moreover, two nuclear Powers are not parties to the Treaty. This makes the Treaty partial both in its scope of application and in its acceptability to all nuclear Powers. When we advocate the principle of universality in the membership of our Organization, it is not only for the sake of that principle alone, but also for the efficacy of the Organization, in solving such fundamental problems as that of disarmament.

88. For the purpose of concluding a treaty for a comprehensive test ban at an early date, my delegation is co-sponsoring the twelve-Power draft resolution contained in document A/C.1/L.486. Being aware of the fact that the main obstacle for the conclusion of such a treaty is the problem of verification of underground nuclear tests, my delegation would like to reiterate a suggestion previously made by the Ethiopian delegation in the Conference of the Committee on Disarmament, namely, that the Secretary-General should be requested to investigate the possibility of creating an international research agency, with a universal membership and using, as far as possible, existing facilities and resources of United Nations institutions. Such machinery, if established, could in the long run serve as a verification agency for a treaty banning underground nuclear explosions.

89. The Ethiopian delegation wishes to seize this opportunity to convey to the Secretary-General its appreciation for his commendable report on the effects of the possible use of chemical and bacteriological (biological) weapons.¹² We are also glad to see an Ethiopian scientist associated in the study for, and the preparation of, the scientific report.

90. It is a well-known fact that my country is among the few unfortunate countries that have experienced the effects of the use of chemical weapons. In 1935 to 1936 mustard gas was used on the people of Ethiopia, in contravention of the Geneva Protocol of 1925 prohibiting the use in war of asphyxiating, poisonous or other gases and of bacteriological methods of warfare. I do not want to elaborate here on the

devastating short-term and long-term effects of the use of those weapons, as they have been dealt with in great depth by the report of the Secretary-General on the subject. Nevertheless, I wish to point out the urgent need for a convention prohibiting the use, development, production and stockpiling of such weapons. It is with this fact in mind that we thank the British delegation and nine of the socialist delegations for taking the initiative in presenting draft conventions on this matter. However, we feel that neither of those two drafts goes far enough to meet what we believe should be done in that area. If agreement cannot be reached on one single, extensive convention during this session, we strongly urge this Committee to refer both drafts to the Conference of the Committee on Disarmament for further consideration, with the intention of presenting a final draft at the next session of the General Assembly. In the meantime, we hope that the Committee will adopt the twelve-Power draft declaration contained in document A/C.1/L.487.

91. We also take this opportunity of presenting our compliments to the Government of the United States for the final position it has taken regarding this issue, as stated in President Nixon's declaration on 25 November 1969.

92. We have before us a draft treaty on the prohibition of the emplacement of nuclear weapons and other weapons of mass destruction on the sea-bed and the ocean floor, and the subsoil thereof [A/7741-DC/232,¹³ annex A]. We commend the Soviet Union and the United States, whose delegations took pains to emphasize the importance of the treaty at the 1691st meeting. It is gratifying to note that both sponsors of the draft treaty that has been presented to us have agreed to consider further modifications. In this respect, I do not wish to hide the preference of my delegation for a treaty for the complete demilitarization of the sea-bed and the ocean floor.

93. With regard to the draft submitted to the Committee, which falls short of our expectations in its final objectives, we are especially concerned over the problem of verification and over the treaty's effects on the rights and prerogatives of coastal States as to activities that might be deployed in their environmental areas.

94. Regarding the question of the establishment within the framework of IAEA of an international service for nuclear explosions for peaceful purposes under appropriate international control, we welcome the positive stand taken by the Agency in deciding that its technical experience qualifies it to assume this responsibility. Ethiopia supports the establishment at an early date of such an international service even if at the initial stage its main function would be only the dissemination and exchange of information. In addition, we view favourably the attempts the Agency is making in implementing the results of the Conference of Non-Nuclear-Weapon States.

95. Finally, my delegation deplores the procedure followed by the Co-Chairmen of the Conference of the Committee on Disarmament when they enlarged the membership of the Committee without prior endorsement of the

¹² *Chemical and Bacteriological (Biological) Weapons and the Effects of Their Possible Use* (United Nations publication, Sales No. E.69.I.24).

¹³ *Official Records of the Disarmament Commission, Supplement for 1969*, document DC/232.

General Assembly. We should not like to see the mandate of the General Assembly, by which the Conference of the Committee on Disarmament came into being, diminished and the Committee assume the role of a private mediation body outside the framework of the United Nations. The responsibility of the United Nations in a problem as crucial as disarmament is too obvious to need elaboration.

96. In conclusion I should like to state how much we recognize the intricacies and difficulties inherent in disarmament negotiations; but we believe, despite the fears and suspicions that still haunt our minds, that there is today a universal consciousness as to the futility of resorting to wars in order to achieve national goals. The arms race itself by its frightening proportions has already made people aware of the precarious peace in which they are living.

97. A French philosopher of the last century said in his writings: “*La civilisation n’est pas la découverte de la roue ni l’invention de la force-vapeur, mais la diminution du péché original.*” Negotiations or compromise should not frighten us as long as we are striving, however slowly, for the purpose of ultimate peace.

98. Mr. GARCIA ROBLES (Mexico) (*translated from Spanish*): In my first statement, on 17 November [1691st meeting], I dealt with what I termed “matters of a constitutional or functional nature”. In my second statement, the following day, I gave the views of my delegation on five of the substantive questions on our agenda bearing on disarmament and related questions. My statement today will deal exclusively with the draft treaty contained in the report of the Committee on Disarmament [A/7741-DC/232,¹⁴ annex A].

99. On 20 September 1967, Mexico became the first State party to the Treaty for the Prohibition of Nuclear Weapons in Latin America, the Treaty of Tlatelolco. At that moment my country became legally bound to prohibit and prevent in its territory the testing, use, manufacture, production or acquisition, receipt, storage, installation, deployment and any form of possession of any nuclear weapons, directly or indirectly, by the State itself, on behalf of anyone else or in any other way, as specifically spelled out in the Treaty. For the purposes of this prohibition the term “territory” includes, among other areas, the territorial sea—which under Mexican legislation is set at a width of 12 nautical miles—and the bed and subsoil of that sea. Furthermore, compliance with those obligations has been made subject to a system of verification and control which is doubtless the most complete and effective currently in existence and which is in the hands of permanent international bodies.

100. In the light of what I have just recalled, it is therefore clear that the draft treaty on the prohibition of the emplacement of nuclear weapons and other weapons of mass destruction on the sea-bed and the ocean floor and in the subsoil thereof, which is now before this Committee and which I shall in future refer to as “the draft”, not only adds nothing to the international commitments that Mexico has already assumed on its own initiative, but is far outdistanced by them.

101. What I have just said places my delegation—and I would venture to state that the same applies to the delegations of the 13 other States parties to the Treaty of Tlatelolco—in a privileged position, from which we can examine with the greatest objectivity and impartiality the item to which the draft relates, bearing in mind only the higher interests of mankind and the contribution to these interests that should be made by any treaty drawn up on the matter.

102. On 10 April this year, when the Eighteen-Nation Committee on Disarmament was just beginning to consider the first draft submitted to it on 18 March by the Soviet Union [*ibid.*, annex C, section 4], it fell to me to explain my country’s position to that Committee, and state that we felt it was essential that the contents of any draft to be prepared should be consistent with the general feeling expressed in the debates of the First Committee of the General Assembly: that the exploration, use and exploitation of the sea-bed must be carried out exclusively for peaceful purposes. Subsequently, in its statement to the Committee on Disarmament on 7 August [426th meeting], my delegation fully explained the reasons on which that opinion was based.

103. Our position today remains unchanged, for my delegation is convinced that the régime to be established in order to forestall any arms race on the sea-bed and ocean floor should be one of total demilitarization, which would embrace not only nuclear weapons and other weapons of mass destruction, but also so-called conventional weapons—even though this would naturally not preclude the maintenance of those devices which the Swedish delegation on the Committee on Disarmament called devices “of a passive defensive character”, such as electronic devices for submarine detection which obviously could not properly be designated as “weapons”. This régime of total demilitarization still seems relatively easy to achieve, since the region to which it would apply is still free—at least so we like to believe—from military uses. Since we have managed to agree on a such a régime in treaties that have already entered into force, not only for the moon and other celestial bodies, but also for Antarctica, which is part of the surface of our planet, it should hopefully be even easier to agree on one for the sea-bed.

104. The establishment of an exclusively nuclear demilitarization régime which would seem implicitly—even if that is not perhaps the intention of the sponsors of the draft—to authorize the emplacement on the sea-bed of all kinds of mines and other similar devices that may be used in future, hardly seems reconcilable with the principle that the sea-bed should be reserved exclusively for peaceful purposes. On this subject, the report of the Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction states that:

“A common denominator in this regard has emerged in the sense that a declaration of principles would contain, in accordance with resolution 2467 A (XXIII), the idea that *the sea-bed and ocean floor shall be reserved exclusively for peaceful purposes.*”¹⁵

¹⁴ *Ibid.*

¹⁵ See *Official Records of the General Assembly, Twenty-fourth Session, Supplement No. 22, part two, para. 91.*

105. We must also bear in mind the fact that the debates held and the resolutions already adopted by the General Assembly on the matter to which I have just referred show that, although the idea that the international zone beneath the sea is the common heritage of mankind has not received unanimous support as yet, it already has the clear and unequivocal support of an overwhelming majority of the Members of the United Nations, who also agree on the need to establish an international legal régime which would govern any utilization of that zone and of its resources. We wonder therefore whether any form of military utilization of the sea-bed and the ocean floor would not in a way represent an unjustified usurpation, and whether it would not become an obstacle for the future exploitation of the resources of that zone for the benefit of mankind as a whole, bearing in mind the special interests and needs of the developing countries, as already advocated by the General Assembly [*see resolution 2467 A (XXIII)*].

106. Another aspect which my delegation feels should be borne in mind is the fact that any treaty the General Assembly recommends to States should, if it is to have any chance of success, command the unanimous and unreserved support of the Members of the United Nations or at least of a vast majority of these Members. In the light of the extensive debates held in the First Committee, it is clear that that is not true of the draft before us. We must remember that, as we all know, a treaty of this kind can bring about the desired result only if it is signed and ratified by a very considerable number of States.

107. We must also remember that this question has been before the Committee on Disarmament for only a few months and that the joint draft [*A/7741-DC/232, annex C, section 34*], which was the basis for the draft in annex A of the Committee's report, has been before the Committee for only a few weeks, since it is dated 7 October. Moreover, the delegations of about 100 States which are not members of the Committee received the text—which must be studied in the light of the voluminous records of the Committee—only at the beginning of last month. Consequently, of the two main alternatives before the First Committee, the Mexican delegation would unhesitatingly opt for the idea of the General Assembly's returning the draft to the Committee on Disarmament and attaching the records of the debates of the First Committee and any working papers on the subject that may have been submitted to it, with the recommendation that the Committee on Disarmament should try to prepare a new draft acceptable to all members of the Committee and likely to be accepted also by all the Members of the United Nations.

108. The procedure I have just outlined would have obvious advantages, including the advantage of permitting a new and redoubled effort to include in the future treaty not only military denuclearization but also total demilitarization of the area concerned. It would also have the advantage of taking into account the progress that it is to be hoped will be made in the coming year in the Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction, and of enabling all States Members of the United Nations to examine the question with all the care that it merits and communicate their views to the Committee on Disarmament if they wish to do so.

109. Compared with these obvious advantages, what would be the disadvantages of following the procedure I have referred to?

110. I would venture to say that there are hardly any. In fact, owing to its limited scope, the value of the draft varies greatly for different States. The nuclear Powers alone possess the prohibited weapons and the effective and immediate capacity to emplace them on the sea-bed and even this capacity is perhaps limited to the two main nuclear Powers. Basically, therefore, this is a bilateral agreement. Aside from the nuclear Powers, no other State possesses these terrible weapons of mass destruction. Fourteen States—the parties to the Treaty of Tlatelolco—have, moreover, committed themselves to neither produce nor receive such weapons and have accepted a régime of total absence of nuclear weapons. A similar commitment, although more limited in scope, has been made by about 20 States which are already parties to the Treaty on the Non-Proliferation of Nuclear Weapons, signed on 1 July 1968. Apart from these States, which are not only unable in practice but are also legally barred from emplacing nuclear weapons on the sea-bed, there are all the others which, although there is no legal impediment, will obviously continue to be physically unable to do so in the foreseeable future.

111. Consequently, the only possible danger in making that prudent pause to which I referred a few moments ago would be that the nuclear Powers would hasten to install devices with nuclear weapons on the sea-bed and ocean floor. However, such a thing does not seem likely, for the very fact that the two main nuclear Powers have agreed on a draft treaty banning any such emplacement is a clear indication that they have reached the conclusion that it would be contrary to their own security as well as excessively costly to start a new arms race in the abyssal regions. Furthermore, this same fact—that they have submitted to the General Assembly a text sponsored by them—implies, in our opinion, a moral obligation on their part—since in practice they are very likely the only nuclear Powers which could do what the draft treaty prohibits—to refrain from engaging in acts of that nature. Nevertheless, in order that the international community and the nuclear Powers themselves should be sure that any postponement of a decision on the draft treaty will not jeopardize the objective being sought, my delegation considers that, along the line of reasoning that I am expounding, it would be advisable to adopt the following procedure: the States which possess nuclear weapons or at least those which have ratified the Moscow Treaty¹⁶ and the Treaty on the Non-Proliferation of Nuclear Weapons would now both make identical unilateral declarations in which they would undertake to assume the obligations laid down in articles I and II of the draft treaty, until such time as the treaty agreed upon entered into force.

112. The General Assembly, for its part, would take note of these declarations with deep satisfaction and would urge all States to do everything possible to facilitate strict compliance with the obligations in question during this transitional period.

¹⁶ Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water, signed at Moscow on 5 August 1963.

113. As I have already stated, that is the solution which my delegation considers preferable from every point of view, for the reasons I have already given. Nevertheless, if a substantial majority of the States in the First Committee were at the last minute to favour the adoption of a resolution similar to General Assembly resolution 2373 (XXII) which, as you will recall, has an annex containing the text of the Treaty on the Non-Proliferation of Nuclear Weapons, my delegation would not object to adding its vote to that majority provided, naturally, that the sponsors of the draft treaty were prepared, through a process of genuine negotiation, to amend the draft as might be necessary or desirable. In case that situation should arise, my delegation would like to outline some of these amendments:

114. First, the treaty should include an article identical or similar to the one proposed by Sweden—document CCD/271 [*ibid.*, annex C, section 36]—which was also circulated this morning as a document of this Committee [A/C.1/994] and which reads as follows:

“Each of the Parties to the Treaty undertakes to continue negotiations in good faith on further measures relating to a more comprehensive prohibition of the use for military purposes of the sea-bed and the ocean floor and the subsoil thereof.”

115. Secondly, in the first sentence of article V of the draft treaty the following words should be added: “particularly those of article . . .”. The article to be mentioned should be that in which the above-mentioned text is included. Consequently, the sentence concerned would read as follows:

“Five years after the entry into force of this Treaty, a conference of Parties to the Treaty shall be held at Geneva, Switzerland, in order to review the operation of this Treaty with a view to assuring that the purposes of the Preamble and the provisions of the Treaty, particularly those of article . . . are being realized”.

The number corresponding to the article proposed by Sweden would be added.

116. Thirdly, as numerous delegations have already proposed, mention should be made in article I of a belt, border, band or zone of 12 nautical miles instead of “the maximum contiguous zone provided for in the 1958 Geneva Convention on the Territorial Sea and the Contiguous Zone”. That would necessitate the deletion of paragraph 2 of that article and consequential amendments to articles II and III of the draft treaty.

117. Fourthly, article III which relates to the observation and verification procedure, should be substantially amended in order to protect the rights of all coastal States, particularly as regards their continental shelf. A merging of the working papers submitted by the delegations of Canada [A/C.1/992] and Brazil [A/C.1/993] into a single draft acceptable to both delegations, might perhaps provide a satisfactory text for that article.

118. Moreover, this would be a well-earned reward for the indefatigable efforts made by the distinguished representa-

tives of both those countries, Ambassador Ignatieff and Ambassador de Araujo Castro, who have concerned themselves so much with that question.

119. Fifthly, the Treaty should contain, at some appropriate point, provisions to exclude any interpretation and prohibit any action that might be detrimental to the principle that the sea-bed and ocean floor and the subsoil thereof beyond the limits of national jurisdiction are the common heritage of mankind, or might prejudice the content of the international legal régime which will have to be established for the exploitation of the resources in that zone.

120. Sixthly and lastly, being a party to and the depositary of the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco), according to which all States parties to that instrument are bound to maintain a régime of total absence of nuclear weapons in their territorial sea, including the bed and the subsoil of that sea, Mexico feels that it is indispensable for the future Treaty, the draft of which we are now examining, to contain an article which would read as follows:

“Article . . .

“1. Nothing in this Treaty shall affect in any way the obligations assumed by States which are parties to international instruments establishing nuclear-free zones.

“2. The States Parties to this Treaty undertake not to contribute in any way to the commission, in the zone referred to in article I, of acts involving a violation of such obligations.”

We consider that article indispensable.

121. The imperative need to include such an article is evident if we bear in mind the fact that, in the opinion of my delegation, article I of the draft implies, on the one hand, that every coastal State is allowed to install nuclear weapons on the sea-bed and the ocean floor and in the subsoil thereof in a zone 12 miles wide adjacent to its coasts and, on the other hand, that the nuclear Powers are allowed to set up under water nuclear bases in that zone, provided simply that they have the consent of the coastal State concerned.

122. Reasons similar to these made it necessary for the Treaty on the Non-Proliferation of Nuclear Weapons to stipulate, in article VII, that:

“Nothing in this Treaty affects the right of any group of States to conclude regional treaties in order to assure the total absence of nuclear weapons in their respective territories.” [*See General Assembly resolution 2373 (XXII).*]

123. My delegation handed to the Secretariat this afternoon, for reproduction and distribution, a working paper [A/C.1/995] in which members of the Committee will find the main comments and proposals that I have made in this statement.

124. Before concluding, I should like merely to add that, if the General Assembly returns the draft treaty on the

sea-bed to the Committee on Disarmament for further study and negotiation, this should in no way be taken to mean that in 1970 the Committee should concentrate all or even most of its activities on that task, which we believe should be principally entrusted to a sub-committee of the whole of the negotiating body.

125. Next year, when we shall be celebrating the twenty-fifth anniversary of the United Nations, the Committee on Disarmament should try to bring before the General Assembly draft treaties on genuine disarmament measures which the whole of mankind is anxiously awaiting—for instance, a draft treaty prohibiting underground nuclear tests, in accordance with the “intention” and “determination” of the nuclear Powers, expressed over six years ago in the preamble to the Moscow Treaty, and another treaty or convention on the prohibition of the development, production, acquisition and stockpiling of chemical and microbiological weapons and stipulating that the enormous stockpiles which, as the Secretary-General of the United Nations has quite rightly said, cause universal horror, be destroyed or diverted to peaceful purposes.

126. Mr. DIACONESCU (Romania) (*translated from French*): My delegation wishes to address itself today to the demilitarization of the sea-bed and the ocean floor and the subsoil thereof, a question to which the international community has paid special attention in the course of this year.

127. I shall not recall the various circumstances which led the United Nations to take up the matter, but I would emphasize that this relatively new subject of international concern has been brought before the world community partly because of the increasing importance attached by all States and all peoples to the advances of submarine science and technology and partly because the submarine environment is in a very special position, having been protected from the various factors that have hindered the full application of modern science and technology in many other areas.

128. I have in mind, first of all, the utilization of scientific and technical advances for destructive military purposes. It is clear that, where the sea-bed and the ocean floor are concerned, there is a real possibility of using a fresh approach and, always remembering the bitter experience gained elsewhere, of ensuring from the outset that the sea-bed and the ocean floor and the subsoil thereof are used solely for peaceful purposes, thereby avoiding a new and very dangerous variation of the arms race.

129. For this reason Romania, like other socialist countries, while consistently advocating general disarmament, has strongly favoured the adoption of vigorous measures to prevent the militarization of the sea-bed and the ocean floor and the subsoil thereof and the inclusion of an appropriate prohibition in international treaties.

130. In drafting such legal instruments, we should start from the fundamental fact that, like general disarmament, the demilitarization of submarine areas is of concern to every country in the world, whatever its size, geographical situation or degree of development. My delegation has repeatedly emphasized that no disarmament measure can be

effective unless it is solidly based on universally recognized principles of international law.

131. Naturally, the beginnings laid down by the United Nations in General Assembly resolutions 2340 (XXII) and 2467 (XXIII) must be borne in mind throughout the negotiations. In that spirit, my delegation took part—and intends to take part in the future—in the preparation of a draft treaty on the military aspects of the submarine environment. Naturally, any durable regulatory system demands broad co-operation on the part of States, and scrupulous respect for their legitimate interests and their rights in international law, so that the final document will represent, in legal form, their consensus and their concerted will.

132. My delegation has welcomed the submission by the Soviet Union and the United States, on 30 October last, of a revised draft treaty on the prohibition of the emplacement of nuclear weapons and other weapons of mass destruction on the sea-bed and the ocean floor and in the subsoil thereof [*A/7741-DC/232, annex A*].¹⁷

133. My delegation has examined this draft and the contributions of other delegations with all due care and would now like to state its views on the main problems now under discussion in the light of the principles I have mentioned.

134. As we have said on other occasions, the most direct and effective way of ensuring the exploitation of the sea-bed and the ocean floor exclusively for peaceful purposes would certainly be to prohibit all military activity in that environment. However, obstacles to the adoption of an over-all solution at the outset have come to light in the course of the debate. Taking into account these difficulties, as also the extremely dangerous nature of the weapons of mass destruction—nuclear and others—my delegation agrees with the basic prohibition clauses of the draft treaty, i.e., that the prohibition should relate to the emplacement of nuclear and other weapons of mass destruction on the sea-bed and the ocean floor.

135. I note that the authors of the draft treaty mention in the preamble that the treaty is only a first stage in excluding the submarine environment from the arms race. For this reason I think it is important that the draft treaty should contain provisions guaranteeing a steady advance towards the final goal—the complete demilitarization of the sea-bed and the ocean floor. That question is far too important to be disposed of in a preambular paragraph.

136. An obligation assumed under the precise provisions set out in the body of an international instrument has greater legal value, and is beyond doubt mandatory. For these reasons, we must include in the body of the draft treaty an article stipulating that each State party to the treaty is under the obligation to conduct in good faith negotiations on the adoption of further measures leading to the complete prohibition of the utilization of the sea-bed and the ocean floor and the subsoil thereof for military purposes.

¹⁷ *Official Records of the Disarmament Commission, Supplement for 1969, document DC/232.*

137. Furthermore, the inclusion of such an article should cause no special difficulty if it is remembered that it would merely parallel what was successfully done in the case of the Treaty on the Non-Proliferation of Nuclear Weapons when article VI was included in that instrument.

138. We are told that a special provision to this effect would be superfluous because the emplacement of any weapons other than weapons of mass destruction would have no military advantage and was therefore highly unlikely. If that is true, it should be all the easier for the Committee to accept the suggestions of my delegation and several other delegations as well. I therefore feel that the Swedish proposal [*ibid.*, annex C] submitted at Geneva and reintroduced here offers a good basis for a generally acceptable solution.

139. With regard to the zone to which the future treaty would apply, many delegations in the course of the debate have said that the boundary should be set at twelve nautical miles, as proposed in the original USSR draft [*ibid.*], instead of the present formula, which refers to the maximum contiguous zone.

140. My delegation is ready to accept that of the two proposed solutions which commands general agreement. It seems essential to us that the zone defined by the treaty should be used exclusively for the purposes mentioned in that treaty. The delimitation of that zone should not, in any form or in any circumstances, be invoked to infringe the rights already enjoyed by States. Similarly, it cannot be interpreted as setting a precedent which could in any way affect the legal status of the continental shelf, the existing international regulations in the matter, or any other rules of the law of the sea.

141. Speaking for the international community, the General Assembly in its resolution 2340 (XXII) laid down the principle that in establishing any new international regulations with regard to the sea-bed and the ocean floor, we must be “mindful of the provisions and practice of the law of the sea . . .”.

142. In its resolution 2467 B (XXIII), the General Assembly reaffirmed and strengthened this principle, stressing the need “to avoid infringement of the other interests and established rights of nations with respect to the uses of the sea”.

143. Existing rules of international law, and particularly the Convention on the Continental Shelf concluded at Geneva on 20 April 1958,¹⁸ determine the scope and content of the sovereign rights of the coastal States over the continental shelf.

144. Under article 2 of that Convention, to which Romania is a party, a coastal State exercises sovereign rights over the continental shelf for the purpose of exploring and exploiting its natural resources. The sovereign rights of the coastal State are exclusive and do not depend on actual or fictitious occupancy or on any expressed proclamation.

145. That article further provides that no one can engage in activities in the continental shelf or claim any rights to it without express consent of the coastal State.

146. Beyond doubt, the effectiveness and attractiveness of a treaty on the prohibition of nuclear weapons and other weapons of mass destruction on the sea-bed and the ocean floor would depend primarily on the extent to which it guaranteed respect for the sovereign rights of coastal States over the continental shelf. Consequently, my delegation feels that a clear provision must be included in the body of the treaty to the effect that none of the clauses of the treaty may be interpreted as in any way infringing the sovereign rights exercised by the coastal State over the continental shelf under the existing rules of international law.

147. Since this is a problem whose solution affects the vital interests of States, the methods of controlling the implementation of the treaty are quite rightly a matter of general concern. In order to safeguard those interests and to fulfil its purpose, the control system must be based on the rules and principles of international law and accordingly must meet certain fundamental requirements.

148. To begin with, there should be established an international control system with adequate procedures which is used exclusively for the effective and impartial verification of the implementation by all parties of the obligations assumed by them under the treaty.

149. Since such control will require special procedures and the use of technical and scientific means, the system must be so structured that States which do not have the necessary instruments to carry out control operations should also be able to take part in the control of operations, without any discrimination, and in accordance with the principle of sovereign equality.

150. Moreover, the control operations must be carried out with scrupulous respect for the rules of international law, the legal status of the continental shelf, and the sovereign rights of coastal States over their part thereof. Particular importance should be attached to applying the provisions of the Geneva Convention on the Continental Shelf requiring the consent of the coastal State to any prospecting activities by other States in the continental shelf. The need to respect these provisions is especially obvious in the case of operations to control the implementation of the treaty carried out on the continental shelf.

151. A practical way of bringing the future treaty into harmony with the existing rules of international law would be to include in it a provision to the effect that the prior consent of the coastal State is required for all control operations on the continental shelf.

152. Of the many proposals and suggestions regarding the control system, my delegation would draw attention to the working documents of Brazil and Canada [*ibid.*, sections 32 and 35] which are inspired by the desire to ensure an effective and equitable control system, the application of which would not infringe the sovereign rights of coastal States over the continental shelf. The constructive ideas expressed in the debates held at Geneva and here in the General Assembly, the cogent comments made and the very useful proposals and suggestions put forth by various delegations constitute a sound basis for evolving—in the interest of the future treaty itself—a text acceptable to a great number of States.

¹⁸ United Nations, *Treaty Series*, vol. 499 (1964), No. 7302.

153. My delegation is convinced that, thanks to the concerted efforts of the authors of the draft treaty and of other delegations, it should be possible to formulate a viable international legal instrument which will contribute to the cause of disarmament.

154. Mr. BOZINOVIC (Yugoslavia): The Yugoslav delegation intends to deal now in a somewhat more specific manner with two issues: first, the problem of chemical and bacteriological weapons and, secondly, the draft treaty on the prohibition of the emplacement of nuclear weapons and other weapons of mass destruction on the sea-bed. I should like to begin with chemical and bacteriological weapons.

155. The conclusions and the recommendations of the Secretary-General of the United Nations contained in the report which was prepared by a group of highly competent scientists and experts from various countries,¹⁹ are for the most part identical with the Yugoslav views on this problem. For that reason I shall begin with the recommendations and present in brief—that is, reiterate—the Yugoslav position regarding certain aspects of this complex issue.

156. The Yugoslav delegation is of the opinion that now is the propitious moment to settle a number of problems in the field of chemical and bacteriological weapons and that the international community should engage in that activity without further delay.

157. We welcome the statement by the President of the United States on 25 November concerning the specific steps which the Government of the United States has taken or intended to take in the field of chemical and bacteriological weapons. We hope that those steps will result in the complete non-use of those weapons, in the halting of their development and production, and in their elimination and destruction.

158. We consider the question of chemical and bacteriological weapons to be an important substantive question of disarmament and not merely a peripheral measure as distinct from some questions falling within the broader area of disarmament. We therefore believe that its early solution could influence positively further progress on other problems as well.

159. The first recommendation of the Secretary-General contained in his foreword to the report on chemical and bacteriological weapons urges all Members of the United Nations, in the interests of enhancing the security of the peoples of the world, “to renew the appeal to all States to accede to the Geneva Protocol of 1925”.

160. It is necessary to point out in this connexion that it is a fact that there are still a number of countries that have not acceded to the Geneva Protocol of 1925 on the prohibition of the use in war of all chemical and bacteriological weapons. Yugoslavia has accepted this Protocol in its entirety. We wish to express our hope that those countries which have not yet done so will find it possible to accede to that Protocol soon.

¹⁹ *Chemical and Bacteriological (Biological) Weapons and the Effects of Their Possible Use* (United Nations publication, Sales No. E.69.I.24).

161. The delegation of the Mongolian People's Republic proposed at the 424th meeting of the Committee on Disarmament that the General Assembly of the United Nations should address an appeal to all States that have not as yet done so to accede to the Geneva Protocol of 1925 during 1970, that is, on the occasion of the forty-fifth anniversary of the Geneva Protocol and the twenty-fifth anniversary of the United Nations. The Yugoslav delegation has supported that proposal and is ready to consider the draft resolution submitted to the Committee by the delegations of Hungary, Mongolia and Poland [A/C.1/L.488].

162. The Yugoslav delegation believes that during the current session of the General Assembly it is necessary and possible to adopt an appropriate decision recommended by the Secretary-General in the above-mentioned report, which states that Member States of the United Nations should:

“... make a clear affirmation that the prohibition contained in the Geneva Protocol applies to the use in war of all chemical, bacteriological and biological agents (including tear gas and other harassing agents) which now exist or which may be developed in the future”.

163. There was never any doubt in our mind that the Geneva Protocol covers the prohibition of the use in war of all chemical and bacteriological weapons, those that existed at the time and those that could be developed in the future. Proceeding from that original position and mindful of the sentiments of public opinion and the immediate interests of all nations, the Yugoslav delegation, during the consideration of these problems in the Committee on Disarmament sponsored, together with eleven other States, a draft working paper—a declaration of the General Assembly stating clearly that the Geneva Protocol prohibits the use in war of all chemical and bacteriological agents [A/7741-DC/232,²⁰ annex C, section 30]. A new draft resolution [A/C.1/L.489 and Add.1] was submitted to the First Committee a few days ago. We see many advantages for, and think it is in the general interest of, the international community for the General Assembly to adopt such a document at its current session. The significance and comprehensiveness of the prohibition contained in the Geneva Protocol were presented very persuasively and eloquently, and in a documented manner, by the representative of Sweden, Mrs. Myrdal, at the 1695th meeting on 20 November. I could hardly advance more convincing arguments. The draft resolution proposed by thirteen States has been formulated in such a way that it adheres strictly to the terms and language used in the above-mentioned document. Therefore it should not present any difficulty on this score to any delegation.

164. The Yugoslav delegation wishes to express the hope that this session will adopt such a general document without further delay, a document based on the recommendation of the Secretary-General contained in his report.

165. The third recommendation of the Secretary-General calls

“... upon all countries to reach agreement to halt the development, production and stockpiling of all chemical

²⁰ *Official Records of the Disarmament Commission, Supplement for 1969, document DC/232.*

and bacteriological (biological) agents for purposes of war and to achieve their effective elimination from the arsenal of weapons”.

166. There are two draft conventions relating to that recommendation before the First Committee. One proposal was submitted by the United Kingdom delegation at Geneva [A/7741-DC/232, *annex C, section 20*] and the other by the delegations of Bulgaria, the Byelorussian Soviet Socialist Republic, Czechoslovakia, Hungary, Mongolia, Poland, Romania, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics [A/7655].

167. The short time at our disposal will obviously not permit us to discuss this question in depth. We regret this situation since we feel that a more thorough discussion would greatly enhance the work of the Committee on Disarmament on this issue. Even though we are not able to deal with the subject in greater detail now, because of the prevailing conditions, we feel that there is one question relating to chemical and bacteriological weapons—the question of approach—which merits our full consideration since it received special attention in the Committee on Disarmament. The question is: should we strive now for a prohibition of the production, development and stockpiling of bacteriological weapons alone or should we insist upon the full abolition of both chemical and bacteriological weapons?

168. As far as the Yugoslav delegation is concerned—and we have heard the arguments favouring both approaches—we feel that it is in the general interest to seek a solution for both chemical and bacteriological weapons, now. What we would not like to see is a solution to the problem of bacteriological weapons while the problem of chemical weapons remained unresolved and its production and stockpiling were intensified.

169. The arguments to the effect that in the past chemical and bacteriological weapons were always treated together and that this should be the case now are very strong and sufficiently known. Perhaps it would suffice to mention only some of them. There is a simultaneous prohibition of the use of both chemical and bacteriological weapons in the Geneva Protocol of 1925 and also in General Assembly resolutions 2162 B (XXI) and 2454 A (XXIII). In proposals on general and complete disarmament submitted by the Soviet Union and the United States several years ago, chemical and bacteriological weapons were also treated together. The report of the Secretary-General now before us contains a warning in paragraph 19 to the effect that “what may be regarded today as a biological agent could, tomorrow, as knowledge advances, be treated as chemical”.

170. In our opinion the problem of chemical and bacteriological weapons is on the whole a very important and urgent one and it is our duty to avail ourselves of the relatively favourable climate to achieve an international, effective and complete prohibition of all those weapons as soon as possible. We are fully aware of the fact that there is yet much work to be done and that further study and clarification are needed on a number of questions. Moreover we are convinced that the greater the number of specific suggestions and views on this matter expressed

here, the easier it will be to deal with it later in the Committee on Disarmament, where, in our opinion, further concrete work should be done. An appropriate recommendation, therefore, and a request by the General Assembly would certainly be a strong impetus towards that end.

171. I should now like to touch upon the second question: the draft treaty on the sea-bed [A/7741-DC/232, *annex A*]. We have pointed out on a number of occasions—at the last session of the General Assembly, in the Committee on the Sea-Bed and in the Committee on Disarmament—that it is the general interest to have the sea-bed used exclusively for peaceful purposes. In other words, we should like to see the complete demilitarization of the sea-bed. The proposed treaty now before us constitutes a partial measure in that direction, but in our opinion it is not yet capable of satisfying the needs and interests of the majority of States, including my country. My delegation has made efforts in the Committee on Disarmament towards evolving a treaty that would, while being realistic, in the greatest possible measure also satisfy the interests of smaller countries as well. The delegations of the USSR and the United States, after having considered the requests and observations advanced by a number of countries, including Yugoslavia, in the Committee on Disarmament, introduced some changes in their original joint draft. Now the revised draft contains a confirmation that it constitutes a step which should lead to the exclusion of the sea-bed and the ocean floor and the subsoil thereof from the arms race. Further, in the revised draft the use of the veto by the great Powers in respect of the process of amending the treaty has been dropped. The paragraph on the review conference after five years has been introduced again, and so on. All these changes represent an improvement on the first draft. Nevertheless, a number of requests by many delegations during the consideration of this problem at Geneva have not been accepted. In the circumstances, the Yugoslav delegation wishes once again to highlight the essential changes which we feel should be incorporated in order to protect more specifically the interests of a number of smaller countries.

172. In saying that, we have in mind primarily article III on verification. We firmly believe that there are no reasons for not accepting changes in that article which would ensure that the existing rights of a number of smaller States—which cannot emplace nuclear weapons anyway because they do not possess them—shall in no way be threatened, and that the future régime of the peaceful uses of the sea-bed—being the common heritage of mankind—shall in no way be prejudiced. The Canadian delegation, in co-operation with a number of other delegations at Geneva and here in New York, has prepared and redrafted article III of the proposed treaty, and this has now been presented to the First Committee as a working paper [A/C.1/992]. The Yugoslav delegation feels that this proposal should be examined not merely as a proposal marking the initial negotiating positions but also as the minimum that could be adopted. The Yugoslav delegation would like to see the right of consent and participation of States in verification on their continental shelf more clearly expressed. The working paper submitted by the Brazilian delegation [A/C.1/993] is closer in that respect to what we would prefer and we hope that it will be considered with the greatest care.

173. The Yugoslav delegation, furthermore, would like to suggest that it is necessary that the treaty on the sea-bed should also contain the following.

174. First, a clear-cut provision in the operative part of the treaty stipulating that efforts aimed at reaching the comprehensive demilitarization of the sea-bed would be continued. A specific suggestion to that effect has been made by the delegation of Sweden and we find it in the report of the Conference of the Committee on Disarmament [A/7741-DC/232, *annex C, section 36*]; it is also contained in document A/C.1/994, circulated today. We believe that suggestion to be a good basis for the solution of this issue and we support it.

175. Secondly, parties to the treaty should undertake to inform the Secretary-General of the United Nations—with a view to notifying all signatories of the treaty—of any event or activity which might be contrary to the strict observance of the treaty, as well as of the results of verification if and when undertaken.

176. Thirdly, parties to the treaty, in the case of failure to remove suspicion or to agree on verification, should address themselves to other parties through the Secretary-General of the United Nations or to the appropriate international bodies.

177. Fourthly, the idea of an international control organ—at least as an aim for the future—should be incorporated into the treaty on the sea-bed now.

178. The last three of these suggestions have a common idea, that is, to make the observance of the treaty and its verification more international in character and to orient the whole treaty more towards the United Nations.

179. It is possible to submit concrete amendments for those suggestions or else to leave it to the authors to incorporate them in the text of the treaty. For us the form is not so important. What is important in our view is to have these corrections understood as being essential to producing a text of the treaty that could meet the interests of the largest number of countries.

180. The question of whether the line marking the area of the sea-bed and the ocean floor to which the prohibition applies should be expressed in a direct or indirect manner merits special attention. My country would welcome having a twelve-mile limit expressed in a direct manner and not indirectly by reference to another treaty. One of the main weaknesses of indirect presentation—which has been pointed out on a number of occasions—is that the treaty to which reference is made can always be changed and, in turn, bring into question the treaty on the sea-bed, apart from the fact that in general it greatly complicates matters. Furthermore, as has already been pointed out, a large number of countries have not ratified the 1958 Geneva Convention on the Territorial Seas and the Contiguous Zone.

181. There is still another question that attracted our attention in the Committee on Disarmament when the question of the right of countries to place nuclear weapons within their territorial waters was mentioned. We said then:

“In the course of the debate mention has been made of possible uncertainties and a kind of ‘gap’ between the

territorial waters and the twelve-mile zone. In that connexion views have been expressed on the right to emplace nuclear weapons within that area. On several occasions the representatives of Yugoslavia in the United Nations have expressed its view on what Yugoslavia considers to be a proliferation of nuclear weapons. I should like to reiterate that any emplacement of nuclear weapons within that area, or within any area in which they have not been placed before, represents a proliferation of nuclear weapons. There is no doubt that in the interest of every country such proliferation should not take place.” [CCD/PV.445, *para. 103.*]

I wanted to reiterate that position here.

182. Yugoslavia is interested in seeing a treaty on the sea-bed concluded soon. We wish, however, to point out that we do not want a treaty at all costs. Neither do we wish to see much of our time spent disproportionately on a problem which we firmly believe is not of the highest priority and which in substance constitutes more a measure of non-armament, at the expense of other measures which are clearly disarmament measures, which are urgent and in the realization of which we are all very keenly interested.

183. The CHAIRMAN: After the commencement of this meeting, our colleague from Chad made a request to be allowed to speak for a few minutes. If the Committee has no objection I shall call on him.

184. Mr. BOHIADI (Chad) (*translated from French*): I thank the Chairman for allowing me to speak tonight, although I had originally asked to make my statement tomorrow. I apologize to the delegations here present for detaining them a few minutes longer, and I ask their indulgence.

185. I shall be brief, for if the thousands of statements made over the years both at Geneva and in New York had been able to convince the Governments of Member States of the absolute necessity of reaching an agreement to stop the arms race, we should not be still debating that question today.

186. At this session our Committee began its consideration of the questions on its agenda with the item entitled “The strengthening of international security”, a very important item, the discussion on which did not, regrettably, lead to the adoption of a resolution. Obviously, international security—which we all want, which we all must have, and which we should like to strengthen—cannot be guaranteed without general and complete disarmament, and that is a problem to which we have not yet found a practical, clear-cut and satisfactory solution, despite the many conferences held by the Eighteen-Nation Committee on Disarmament in the past ten years and more. We hope that the twenty-five members now constituting that Committee may find a solution to this troubling problem that the eighteen, despite their good will, were unable to do, but it is highly doubtful that they can attain constructive results in the near future.

187. In my delegation’s view, the complex problem of disarmament applies primarily and most particularly to the Powers which manufacture and stockpile nuclear, chemical and bacteriological, but also conventional, weapons. Let me explain what I mean. The hundreds and thousands of

millions of dollars invested in the development and manufacture of intercontinental ballistic missiles, dozens of nuclear submarines, hundreds of Polaris missiles, and hundreds of supersonic strategic bombers are not thrown into the ocean; these thousands of millions of dollars are paid into the bank accounts of the great firms which manufacture all these weapons of mass destruction, all these strategic bombers and submarines. Since the munitions industry is a source of fabulous profits for the manufacturers, who act in connivance with certain politicians and military men and who can count on the fear of a possible attack by an enemy Power, it would be most difficult for the United Nations to reach agreement in any near future on a treaty prohibiting the further manufacture of nuclear weapons and providing for the complete destruction of the existing stockpiles, because these manufactures, generals and politicians exert great pressure on their Governments. As the representative of Ghana rightly said at the 1702nd meeting on 27 November, we may have to wait another generation for general and complete disarmament.

188. My delegation welcomed the preliminary bilateral talks begun at Helsinki on 17 November between the Soviet Union and the United States on the limitation and control of nuclear weapons. It wishes fervently that these may lead to reasonable and constructive solutions. It was happy to learn that the United States and the Soviet Union have finally, after long proceedings, simultaneously ratified the Treaty on the Non-Proliferation of Nuclear Weapons. There are two major events.

189. I now come to the second point I wish to cover, i.e., the question of chemical and bacteriological (biological) weapons. I should like first of all to convey the gratitude of my delegation to the distinguished experts who have prepared, under the Secretary-General's guidance, a remarkable and important report entitled *Chemical and Bacteriological (Biological) Weapons and the Effects of Their Possible Use*.²¹

190. My delegation is interested not only in the limitation and destruction of such weapons, but also, and above all, in the complete prohibition of their manufacture, stockpiling and use. No civilized nation can be unaware that the use of chemical weapons is a crime and a violation of rules of international law laid down several decades ago. My delegation therefore does not agree with those who want our Committee to deal first with biological warfare and to consider chemical warfare at a later stage. The two questions go together, and should be examined jointly.

191. If the Governments of all Member States were acting in good faith, the Secretary-General's report would alone suffice to convince them that they must neither manufacture nor use chemical or bacteriological weapons. Unfortunately, however, despite the 1874 Brussels Declaration, the 1899 and 1907 Hague Conventions prohibiting the use of poisons and poisoned weapons, and a special declaration annexed to the 1899 Hague Convention prohibiting the use of projectiles the sole object of which is the diffusion of asphyxiating or deleterious gases, despite the 1925 Geneva Protocol and contrary to resolutions 2162 B (XXI) of

5 December 1966 and 2544 A (XXIII) of 20 December 1968 inviting all States to adhere strictly to the principles and purposes of the Protocol, resolutions adopted unanimously by the General Assembly, we see that some States, and not the smallest, not only continue to develop and manufacture new chemical weapons, but also use them in some parts of the world to kill innocent and defenceless women, children and old men.

192. Here is what the Japanese professor, Mr. Kugai, had to say on the effects of napalm:

"Napalm transforms an area eighteen meters in diameter into a sea of flames at a temperature of 800° to 1300°. At this temperature, napalm not only consumes human flesh and skin, but even melts the bones... napalm wounds are no different from those suffered at Hiroshima and Nagasaki; the flesh and skin are swollen to a depth of two centimeters, producing brownish red blisters."

193. How dreadful it is for so-called civilized men to watch their fellow men dying so horribly! And to say that these men know God, worship God, pray to God and hope one day to go to Heaven after having committed such fearful and odious crimes during their stay on earth!

194. Vegetation itself is not spared when these chemical and poisonous weapons are used. They have been employed to defoliate and lay waste tens of thousands of hectares of cultivated land. Crops have been systematically destroyed, to prevent those who had escaped death from napalm or chemical and biological weapons from surviving. This is the good that civilized men do to other men with the chemical weapons on which they spend so much!

195. My delegation welcomed with great satisfaction the news announced by the President of the United States on 25 November that his country was giving up the use of chemical and bacteriological weapons and would soon ratify the 1925 Geneva Protocol. But as the Saudi Arabian representative has so rightly remarked in his statement on 26 November [1700th meeting], declarations are no more than that and we shall soon see what follows, since in that declaration nothing was said about ceasing to manufacture the weapons in question. This does not, of course, mean that I question the sincerity of the President of the United States.

196. In conclusion, I wish to express my gratitude to the USSR delegation for, together with the delegations of other socialist countries, placing before this session of the General Assembly the item entitled "Conclusion of a convention on the prohibition of the development, production and stockpiling of chemical and bacteriological (biological) weapons and on the destruction of such weapons" [A/7655].

197. My delegation is also grateful to the delegations of Australia, Canada, Ghana, Nigeria, the Netherlands and the United Kingdom of Great Britain and Northern Ireland, for submitting the draft resolution in document A/C.1/L.491. I am pleased to say that my delegation would like to co-sponsor that text.

²¹ United Nations publication, Sales No. E.69.I.24.

The meeting rose at 11.25 p.m.