

**United Nations
GENERAL
ASSEMBLY**

TWENTY-SIXTH SESSION

Official Records



**FIRST COMMITTEE, 1838th
MEETING**

*Monday, 29 November 1971,
at 10.30 a.m.*

NEW YORK

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GENERAL DEBATE (*continued*)

1. Mr. BANERJEE (India): On behalf of the delegation of India, I should like to welcome the delegation of the People's Republic of China. We look forward to our co-operation in the field of disarmament.

2. The delegation of India had, in its statement before the First Committee last year, drawn the attention of this august body to the two main disquieting features in the present situation concerning disarmament: first, an ever-mounting arms race and, second, a growing disappointment in regard to any genuine progress in disarmament.

3. The crux of the problem of curbing the arms race and of making progress in disarmament lies in the field of nuclear weapons. That is why the international community has repeatedly called for the highest priority to be given to measures in the field of nuclear disarmament. If this supreme purpose is not kept in mind and meaningful steps are not taken towards that end, the problem of disarmament will not be resolved and every effort will be in vain.

4. As regards the goal of general and complete disarmament under effective international control, the delegation of India would stress that speedier progress could be achieved if the following four specific suggestions could be adopted.

5. First, the goal of general and complete disarmament under effective international control can only be achieved through a step-by-step approach, whereby a series of partial measures should be negotiated. However, it is essential to bear in mind always that any partial measure or measures should only be considered as steps leading towards the goal of general and complete disarmament under effective international control. Partial measures could be broadly classified into three categories: measures to prevent armament, measures to limit armament and measures of disarmament. It is imperative that an appropriate balance should be maintained among these various categories of partial measures, with particular stress being laid on measures of actual disarmament.

6. Secondly, it would be useful if the Soviet Union and the United States were to submit revised versions of their respective draft treaties on general and complete disarmament,¹ which they had presented in 1962, in the light of the various developments which have since taken place and the many suggestions which have been put forward.

7. Thirdly, the joint statement of agreed principles for disarmament negotiations drawn up by the Soviet Union and the United States on 20 September 1961² and recommended by the General Assembly in resolution 1722 (XVI) should be the main basis for concrete work.

8. Fourthly, the general order of priorities to be followed in disarmament discussions should be as suggested in the Declaration on Disarmament, which was issued by the Third Conference of Heads of State or Government of Non-Aligned Countries held at Lusaka in September 1970. The general order of priorities recommended by that large assembly of nations is as follows: first, measures in the field of nuclear disarmament; secondly, other measures of priority in the disarmament field; and thirdly, non-armament or confidence-building measures.

9. The question of the elimination of chemical and bacteriological (biological) weapons has been in the forefront of discussions in the field of disarmament in recent years. This has been rightly so, because bacteriological and chemical weapons are weapons of mass destruction. The international community has been increasingly concerned about the continued development, production and stockpiling of bacteriological and chemical weapons. The approach which received the largest support in the international community was that both bacteriological and chemical weapons should be eliminated jointly or simultaneously, because there existed an inseparable link between the two categories of weapons. The Geneva Protocol of 1925³ is based on that principal and fundamental approach.

10. However, it has now been generally recognized that the situation as it has recently developed in regard to discussions concerning bacteriological and chemical weapons makes it possible to reach agreement at the present time on a convention on the elimination of biological and toxin weapons only and that further negotiations would have to be undertaken on the elimination of chemical weapons.

11. In the discussions that have taken place in the Conference of the Committee on Disarmament on the

formulations of a draft convention on biological and toxin weapons which would enjoy the general support not only of members of that Committee but would subsequently be acceptable to the wide membership of the United Nations, the delegation of India has stressed that five propositions should be borne in mind. Let me enumerate.

12. First, the Geneva Protocol of 1925 should be safeguarded and nothing should be done which might either adversely affect the Protocol or cause doubts on its continuing validity.

13. Secondly, the inseparable link between bacteriological (biological) and chemical weapons, on which the Geneva Protocol of 1925 rests, should be fully reflected and respected in the new convention on biological and toxin weapons.

14. Thirdly, negotiations should be continued actively with a view to reaching agreement on the elimination of chemical weapons also.

15. Fourthly, the field of biology and chemistry should remain peaceful and international co-operation should develop therein.

16. Fifthly, there should be a clear recognition and implementation of the twin principles that the resources released by disarmament should be used for peaceful purposes and that a substantial portion of such savings derived from measures in the field of disarmament should be devoted to promoting economic and social development, particularly in the developing countries.

17. A revised draft convention on chemical and toxin weapons [A/8457, annex A] has now been jointly sponsored and submitted by the Soviet Union and the United States, together with the socialist States and the NATO allies members of the Conference on Disarmament. The delegations of the Soviet Union and the United States have, in their respective statements before the Conference and before the First Committee, made remarks and comments in regard to the various provisions of their revised draft convention on biological and toxin weapons. The delegation of India has carefully noted these explanations and comments. In particular, it is reassuring to know that the exemption in regard to biological agents or toxins, which would be permitted for prophylactic, protective or other peaceful purposes, would not in any way create a loop-hole in regard to the production or retention of biological and toxin weapons. There is, however, an inconsistency between the last two preambular paragraphs of the draft convention on biological and toxin weapons, which needs to be clarified. The penultimate preambular paragraph mentions the objective of excluding completely—and I stress “excluding completely”—the possibility of the use of such weapons, whereas the last preambular paragraph only talks of minimizing—and I stress “minimizing”—the risk of their use. Now, this inconsistency appears to us perhaps as a drafting error, which has been made inadvertently. The delegation of India would therefore propose that the last preambular paragraph of the draft convention should be reformulated as follows:

“*Convinced* that such use would be repugnant to the conscience of mankind and that no effort should be spared to remove this risk”.

¹ For the draft treaty submitted by the Soviet Union, see *Official Records of the General Assembly, Seventeenth Session, Annexes*, agenda item 90, document A/C.1/867 and *Official Records of the Disarmament Commission, Supplement for January to December 1964*, document DC/209, annex 1, sect. A; for the draft treaty submitted by the United States, see *ibid.*, *Supplement for January 1961 to December 1962*, document DC/203, annex 1, sect. F, and document DC/205, annex 1, sects. E and F, and *ibid.*, *Supplement for January to December 1963*, document DC/208, annex 1, sect. H.

² *Official Records of the General Assembly, Sixteenth Session, Annexes*, agenda item 19, document A/4879.

³ Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare (League of Nations, *Treaty Series*, vol. XCIV, 1929, No. 2138).

18. It is reassuring that, in the draft convention on biological and toxin weapons, the link between bacteriological weapons and chemical weapons has been clearly recognized, and the need to conclude a convention on chemical weapons as soon as possible has been accepted as a binding commitment.

19. It would have been most appropriate if the draft convention on biological and toxin weapons had contained an affirmation of the principle that a substantial portion of the savings derived from measures in the field of disarmament would be devoted to promoting economic and social development, particularly in the developing countries. The joint working paper [*ibid.*, annex C, sect. 23], submitted by 11 members of the group of non-aligned countries and supported by Argentina, made this suggestion, which was not accepted by the main authors of the draft convention on biological and toxin weapons. In the view of the delegation of India, the minimum that should be done is to affirm that principle in any resolution that the General Assembly might adopt in regard to the draft convention on biological and toxin weapons. The delegation of India has therefore joined the sponsors of the suggestion in document A/C.1/L.582 to include that principle in the draft convention.

20. In keeping with its basic approach in the field of biological and chemical weapons, the delegation of India, together with the members of the Group of Twelve, has sponsored in the Conference of the Committee on Disarmament a joint working paper on possible elements of future agreement on the elimination of chemical weapons [*ibid.*, sect. 33]. The delegation of India remains firmly of the opinion that negotiations on chemical weapons should be actively pursued. The joint working paper provides an excellent basis for developing guidelines for further negotiations on chemical weapons. It is the hope of the delegation of India that the General Assembly will commend the basic approach contained in that joint working paper. It is with this purpose in view that the delegation of India has joined in sponsoring draft resolution A/C.1/L.581 regarding future negotiations on the elimination of chemical weapons.

21. The fundamental problem in regard to a comprehensive test ban is that nuclear weapon tests are continuing because the development and production of nuclear weapons are continuing. A rationale behind the continued production and testing of nuclear weapon systems is the so-called theory of the balance of deterrence and the supposed belief that international security rested on such a balance. The international community has never accepted such a rationale, for international security can be based only on disarmament. The continued development and production of nuclear weapons poses a threat to international peace and security.

22. It should be clearly recognized that even the problem of a ban on nuclear weapon testing in the three environments, namely, the atmosphere, outer space and under water, has not been fully resolved and that there should not be any doubt in that regard. The partial test ban Treaty of 1963⁴ had remained doubly partial, for not only are

underground nuclear weapon tests beyond its purview, but the Treaty has not been adhered to by all the nuclear weapon States. It is, therefore, a fragile Treaty. Furthermore, the Treaty is being eroded through venting from underground nuclear weapon tests. The joint memorandum of the group of eight non-aligned countries in 1968⁵ drew attention to the infringements of the partial test ban Treaty from venting of underground nuclear weapon tests and expressed apprehension that the very existence of the Treaty might be endangered.

23. India's dedication to the cause of a comprehensive ban on all nuclear weapon tests is a matter of record. Prime Minister Jawaharlal Nehru was the first world statesman to draw attention to that problem as early as 1954. It was at the initiative of the Government of India that an item on the urgent need for suspension of nuclear and thermonuclear tests was included in the agenda of the General Assembly in 1959 and has been discussed each year ever since.

24. Year after year, the General Assembly has called upon all nuclear weapon States to suspend nuclear weapon tests in all environments. In 1962, the General Assembly, by its resolution 1762 A (XVII), condemned all nuclear weapon tests. From 1963 onwards, the General Assembly has urged all States that have not yet done so to adhere without further delay to the partial test ban Treaty and has called for a treaty banning underground nuclear weapon tests. However, there has been no movement in the respective attitudes and positions of the nuclear weapon Powers.

25. A stage has now been reached when the issues in the field of a comprehensive test ban should be clearly defined and the lines of action delineated without any further delay or equivocation. The delegation of India would like to submit four main considerations in this regard.

26. First, the provisions of the partial test ban Treaty should be fully observed, and those nuclear weapon States which have not yet adhered to that Treaty should do so without any further delay.

27. Secondly, whatever be the differences on the issue of verification of a ban on underground nuclear weapon tests and notwithstanding any other considerations, all testing of nuclear weapons in all environments must be immediately suspended. Continued testing of nuclear weapons involves serious health hazards and encourages and enhances the arms race. Only an immediate suspension of all nuclear weapon tests can facilitate the solution of the problem of a comprehensive test ban. Half-hearted measures and palliatives, including the so-called restraining or transitional or confidence-building measures, are not the answer to the problem and might even contribute to a legitimization of certain categories of nuclear weapon testing.

28. Thirdly, the meaning of a comprehensive test ban should be clearly understood. A comprehensive test ban has two aspects: all nuclear weapon tests in all environments should be prohibited and all nuclear weapon States should be parties to it.

⁴ Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water (United Nations, *Treaty Series*, vol. 480 (1963), No. 6964).

⁵ *Official Records of the Disarmament Commission, Supplement for 1967 and 1968*, document DC/231, annex I, sect. 10.

29. Fourthly, negotiations should be undertaken for a separate treaty to prohibit all nuclear weapon tests in the underground environment. Attention, however, should simultaneously be focused on the need to conclude an agreement on underground nuclear explosions for peaceful purposes.

30. India has constantly been in favour of a comprehensive nuclear weapon test ban, and has supported efforts to put a complete end to the testing of nuclear weapons in all environments. India intends to abide by that policy. At the same time, India has been aware of the tremendous contribution which the technology of the peaceful uses of nuclear energy, including peaceful nuclear explosions, can make to the economy of the developing world. The benefits of this technology should be available to all States without discrimination. This view was forcefully endorsed by the Non-Aligned Countries at the Lusaka Conference. The International Atomic Energy Agency (IAEA) should provide service for nuclear explosions for peaceful purposes to all its members without discrimination, in accordance with its Statute.

31. The delegation of India welcomes the report on the economic and social consequences of the arms race [A/8469], which has been prepared by the Secretary-General with the assistance of consultant experts. The report should prove useful in our work in the field of disarmament. We are in agreement with the unanimous conclusions of the expert consultants. The delegation of India earnestly hopes that the General Assembly will accept the carefully-worded recommendation contained in paragraph 120 of the report that:

“In order to draw the attention of the Governments and peoples of the world to the direction the arms race is taking, the Secretary-General should keep the facts under periodic review.”

32. India, together with all the non-aligned countries, has subscribed to the concept of the Indian Ocean as a zone of peace. This concept means that the area of the Indian Ocean be kept free from great Power rivalries and confrontations. We therefore congratulate and welcome the initiative of Ceylon [A/8492 and Add.1] in inscribing an item at the current session of the General Assembly, so that serious discussions could take place on how our objective could be achieved. There is need for intensive consultations in order that a consensus could be reached on a declaration by the General Assembly regarding the Indian Ocean as a zone of peace.

33. It is our firm belief that no matter how long and difficult the road, the international community has to persevere in its noble task of achieving global security through disarmament. The delegation of India would continue to support all efforts which are aimed at bringing about genuine, balanced and effective disarmament.

34. Mr. DIACONESCU (Romania) (*interpretation from French*): At the 1833rd meeting, in its statement on the economic and social consequences of the armaments race and its extremely harmful effects on world peace and security, the Romanian delegation expressed the concern felt by our Government with regard to the dimensions and

the pace of the arms race, and emphasized the need to put an end to it and, at the earliest possible moment and through the concerted action of all countries of the world, to go on to the achievement of effective measures leading to general disarmament, starting with the prohibition and destruction of nuclear weapons. In that context, the Romanian delegation wishes to submit today a few considerations with regard to certain concrete measures that are especially important and urgent and that should be undertaken in the field of disarmament.

35. It is an unchallengeable fact that the nuclear arms race and the immense stockpiles of those weapons of mass destruction that have been accumulated in national arsenals at present constitute the source of the gravest danger to all mankind. This truth has once more been brought out in the recent report of the Secretary-General, where it is unequivocally stated in the introduction that

“Nuclear weapons constitute the most fearful category of armaments to which military expenditures are devoted, and these pose the greatest threat which mankind now faces.” [A/8469, para. 3.]

36. Because of the fact that today nuclear weapons represent the greatest danger to all peoples, and since the nuclear arms spiral is its most dynamic branch and the moving force that drives the arms race forward as a whole, it seems not only natural but indispensable that the efforts of mankind be concentrated with the highest priority on nuclear disarmament.

37. We therefore feel that absolute priority in disarmament negotiations should be given to measures aimed at preventing, reducing and entirely eliminating the atomic peril. The Romanian delegation considers that some very important steps in that direction would be the prohibition of the use of nuclear weapons, the creation of denuclearized zones surrounded by appropriate security safeguards, the cessation of the production and improvement of nuclear weapons, and the reduction and liquidation of all nuclear weapons and their means of delivery.

38. The views of the Romanian delegation on the prohibition of the use of nuclear weapons are based strictly on the position of principle adopted by the Romanian Government with regard to the use, in general, of force or the threat of force. My country has constantly acted, and is determined to act in the future, with all the firmness required, for the final elimination from international life of the use of force and the threat of its use, and for prohibition of the resort to weapons against the independence and sovereignty of any State or against the inalienable right of all peoples to free and independent development.

39. A specific initiative of the Romanian Government within the framework of its desires to see force barred from relations among States is its proposal of 5 March 1970 concerning “firm commitments, assumed by means of a binding international document of universal application, not to resort to force or to the threat of the use of force, not to interfere, in any way or in any circumstances whatever, in the internal affairs of other States”. [see CCD/PV.455, para. 70.] That proposal is as valid today as when we submitted it.

40. It is from the same starting-point of principle that Romania has always spoken out against the use of nuclear weapons and has always advocated—and will continue to advocate—and supported every initiative aimed at the achievement of that major goal, namely, the prohibition of those weapons.

41. Thus, we read in paragraph 23 of the report of the Conference of the Committee on Disarmament [A/8457] that “the delegation of Romania stressed the importance of elaborating an agreement aimed at the prohibition of the use of nuclear weapons”.

42. The prohibition of the use of nuclear weapons as a first and especially important step towards achieving the abolition of the most dangerous weapons present in the operational arsenals of States would constitute both a political and a juridical barrier to the use of such weapons and would have a direct bearing on the improvement of the international political atmosphere and the strengthening of mutual trust among the countries possessing those weapons, in fact among all countries, thus multiplying the favourable premises conducive to the achievement of effective measures of nuclear disarmament.

43. In the view of the Romanian delegation, prohibition of the use of nuclear weapons is all the more important and urgent inasmuch as the problem of security guarantees to be accorded States not possessing nuclear arms was not resolved in the Treaty on the Non-Proliferation of Nuclear Weapons [resolution 2373 (XVII), annex]. Furthermore, almost two years have elapsed since that agreement came into force, and no step has been taken towards fulfilling that entirely justified requirement of the non-nuclear-weapon States.

44. As we have stated on previous occasions, and at this session as well, the Romanian delegation considers it imperative for nuclear weapon States solemnly to assume the commitment not to employ nuclear weapons under any circumstance against States not possessing such weapons, and never to threaten, under any pretext whatsoever, such States with the use of those weapons. It is through the conclusion of a general agreement forbidding the use of nuclear weapons that we would find an appropriate solution to the problem of security safeguards.

45. Another measure to which the Romanian delegation also attaches great importance is that of the creation of denuclearized zones. The need for such zones of peace and co-operation and the assurance that they will be freed from the use of such weapons of mass destruction has been proved in the past. Proof has also been given of their usefulness and help both to the countries of the regions as well as in the general interests of international peace and security and of disarmament as a whole.

46. As a country which has constantly assisted and supported efforts to achieve denuclearization and which has also been gratified at any progress achieved in this field, Romania is extremely happy at the vigorous affirmation of the idea of military denuclearization as well as the concern being shown by an increasing number of States desirous of transforming their regions into denuclearized zones. The growing interest aroused by the question of such zones is

also evidenced by the fact that two of the seven items on the agenda of this Committee deal with this specific aspect.

47. The evolution of this positive process is eloquently illustrated by the many proposals made for the creation of denuclearized zones in the Balkans and in the centre of Europe, in the north of the European continent, in the Mediterranean, in Asia, in Africa, in the Pacific and Indian Oceans, in Latin America and in other regions of the world. Here I should like to stress that we believe that the Treaty of Tlatelolco⁶ constitutes a very valuable precedent and an experiment that should be emulated by all and widened.

48. We feel that it is high time now to go into the stage of negotiation and the creation of denuclearized zones wherever the peoples concerned so desire, even in those regions where nuclear weapons exist at present. On the basis of this conviction, the Romanian Government presented a proposal in the spring of last year for “the creation of denuclearized zones in various regions of the world, including the Balkans”.

49. At present, I wish to point out only two of the fundamental features that should characterize the establishment of these denuclearized zones. First, the fact that these regions, wherever they may be, must be the result of direct participation and the free consensus of the States of the regions concerned and, secondly, that these regions must at the same time be strengthened by express guarantees from the nuclear Powers. These guarantees must attest to their firm commitment not to use nuclear weapons nor to threaten States which are part of the denuclearized zone with the use of such weapons and that nuclear States shall strictly respect the terms of the denuclearization of the region.

50. The Romanian Government is determined to continue to try to transform the Balkans into a zone of peace and co-operation free from nuclear weapons and also to support the efforts of other States to create denuclearized zones in their respective regions.

51. Of course, so long as there are still nuclear weapons on the face of the earth, underground or in space, and so long as such weapons of mass destruction are produced and perfected, there will continue to be a permanent danger for all people of the world. It is for all these reasons that we declare our determination to achieve full and complete elimination of the dangers of a thermonuclear war by prohibiting the use of nuclear weapons, by calling for a cessation of their production and for the reduction or liquidation of all these weapons and their means of delivery.

52. We also support the prohibition and the destruction of all weapons of mass annihilation such as chemical, bacteriological (biological) and other weapons.

53. It is from this same standpoint that we regard the draft convention on the prohibition of the perfecting, manufacture and stockpiling of bacteriological (biological) weapons and toxins and on their destruction [A/8457,

⁶ Treaty for the Prohibition of Nuclear Weapons in Latin America (United Nations, *Treaty Series*, vol. 634 (1968), No. 9068).

annex A/. Such a convention must be a link in a whole chain of measures designed to ensure the elimination of all weapons of mass destruction, measures which must be organically integrated within the combined body of efforts aimed at general and complete disarmament. This draft convention must be followed quickly by other agreements on the prohibition and liquidation of all weapons of mass destruction, beginning with nuclear weapons.

54. As a party to the Geneva Protocol of 1925,⁷ my country feels that anything new that is undertaken in the field of the prohibition and destruction of chemical and bacteriological weapons should have no deleterious repercussions on that earlier important international instrument. On the contrary, such new steps should strengthen the Protocol and bring about its universal application.

55. After having dealt with the priority measures of nuclear disarmament, I should like to refer very briefly to the problem of general and complete disarmament. To do so I should like at the outset to reaffirm the unshakable adherence of my country to the cause of general and complete disarmament, and to express our conviction that the prohibition and destruction of all nuclear weapons would open up new prospects for the practical achievement of the objectives of general disarmament which must be the ultimate goal of all efforts made in this field.

56. Concerning the present stage of general disarmament, we are obliged to note that no progress has been obtained, despite the fact that general disarmament has appeared on the agenda of the General Assembly and of the Conference at Geneva for many years. In this field it is most enlightening to note that of some 30 pages of the Geneva Committee's report very little space is devoted to the problem of general and complete disarmament and there is nothing which might serve as a basis for a specific and effective examination of the matter. Therefore, it appears to us necessary that we should act in accordance with the general interests of peace and security, and also, in the light of the statements made by an increasing number of States, that something should be done in order to achieve concrete measures towards general and complete disarmament, beginning with atomic disarmament.

57. It is obvious that while giving the necessary priority to measures to be undertaken for the prohibition and elimination of nuclear weapons as well as other weapons of mass destruction, we cannot overlook nor set aside conventional weapons. Specific measures in this field are also of great concern to us since this is part of the same problem.

58. We are living at a time when profound changes are taking place in the power relationships among the States in the world, when new people and new forces are rising to defend their vital interests and aspirations for progress, and when positive trends towards a more realistic approach to international problems are gaining ground, particularly in relations among nations.

59. But, by the same token, we cannot overlook the fact that weapons are still being used by the imperialist circles as instruments of their policies of force, to pressure and threaten peoples and their freedom and sacred right to independent development. These weapons are used to unleash aggression against sovereign States or to keep alive existing tension in different parts of the world.

60. We are also forced to note the persistence in international life of certain outmoded phenomena, such as the existence of military bases on foreign soil, the maintenance of troops beyond the national frontiers, and the existence of opposing military blocs. Created in earlier and completely different circumstances, these military blocs today, in the conditions of increasing *détente* and co-operation in the world, appear more and more anachronistic and become a permanent source of mistrust and suspicion. Thus, too, while many peoples are bending great efforts to ensure economic and social development, a considerable part of the assets of mankind are being squandered on military expenditures.

61. That is why the Romanian Government has constantly called for the dismantling of military bases on foreign soil and the withdrawal of troops within their national frontiers and for a renunciation of military manoeuvres on the territory of other States; the prohibition of the creation of new military bases, and of emplacing further nuclear weapons on foreign soil. We have also called for measures that will create conditions propitious to the simultaneous dissolution of NATO and the Organization of the Warsaw Treaty, as well as of any and all military blocs. The Romanian delegation considers that the sooner these blocs are dissolved the better it will be for peace in Europe and all over the world.

62. It would also be extremely helpful to cut back on military expenditures, so that the sums at present devoted to weaponry and armies could be increasingly reduced and turned to development, to ensure economic and social progress, and to raising the standard of living of all peoples to appropriate levels.

63. Consistent with this concern, on 5 March 1970, the Romanian Government proposed the "freezing and reduction of the military budgets of all States". [*CCD/PV.455, para. 65.*]

64. This Romanian proposal contains two basic aspects. The first is the freezing by all States, at as early a date as possible, of their military budgets. In accordance with certain assessments: "The conclusion of an agreement providing for the freezing of States' military budgets at the 1971 level would make available during this decade substantial resources, estimated at over \$800 thousand million."

65. The second aspect of the Romanian proposal is a corollary of the first and calls for the gradual reduction of military budgets, at the rate and on terms that could be agreed upon. It has been estimated that: "a 10 per cent reduction in the military budgets of all States under an appropriate international agreement would provide mankind with over \$1,000 thousand million that could be used for peaceful purposes . . .". [*Ibid.*]

⁷ Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare (League of Nations, *Treaty Series*, vol. XCIV, 1929, No. 2138).

66. The measures to which I have referred are, I know, different in objective and scope and in importance and urgency, but they share the intention of satisfying the long voiced claims of the people of the world and particularly of seeking ways to meet the very grave problems raised by the arms race and military stockpiles and particularly by nuclear arsenals. The systematic implementation of such measures step by step; the achievement of true progress along the road to general and complete disarmament and, first and foremost among these the elimination of the atomic danger, would dovetail with the spirit and requirements of this first Disarmament Decade.

67. All peoples, being vitally interested in living in peace and security, and being freed from the heavy burden of military expenditures, have called for years—and surely we should now heed their voices—for concrete measures to be adopted leading to effective disarmament, and that we put an end to the stage of debates.

68. Therefore, it is necessary that all States be allowed to participate on an equal footing in these negotiations and in the adoption of true disarmament measures, and that the legitimate interests of all be strictly respected. It is also imperative that all parties act towards this end, demonstrating their political will and their spirit of co-operation by being open to the views of others on proposals and opinions, regardless of whether these come from great or small States, from nuclear or non-nuclear Powers.

69. The Romanian delegation believes that the bodies where these questions of disarmament should be discussed should be so organized and used that their activities will lead to a speedy achievement of concrete measures for the cessation of the arms race and for disarmament.

70. As in the past, my country is ready to make its contribution to efforts to achieve these solutions, in accordance with the will of all peoples for solutions to problems as imperative as that of disarmament.

71. *Mr. ALARCON (Cuba) (interpretation from Spanish):* The question of the use of chemical and bacteriological weapons is doubtless the aspect of modern warfare which most deeply disturbs world public opinion. In fact, one of the most outstanding paradoxes of our day is the twofold meaning the progress of science and technology can have on the life and happiness of human beings. This progress has opened up the possibility of our transforming this planet, of mastering nature and turning it to man's service and of creating a world where conditions could be immeasurably better than they were for previous generations. And yet the merchants of war have also known how to draw on the resources that science and technology have opened up for them to produce and apply methods of death and destruction unprecedented in history.

72. With the noble purpose of mitigating the damage caused by war, particularly among civilians, the international community has adopted a series of legal instruments which prohibit the use of poisonous, asphyxiating and other gases and that are intended, in accordance with certain minimum humanitarian rules, to regulate conduct during war. Within that context we would then have to include the draft convention on bacteriological weapons

[A/8457, annex A] which this Committee is now considering.

73. Very aware of the humanitarian aspect of these instruments, the Cuban delegation is in favour of the text as submitted. However, we cannot refrain from mentioning the fact that the exclusion of chemical weapons from this draft convention constitutes a very serious flaw in the instrument that we are examining.

74. We are not indulging in a Byzantine discussion here. Daily reality shows us that at this very moment vast quantities of chemical and lethal substances are being used indiscriminately against unarmed civilian populations. If, therefore, we are to be consistent with the conventions and protocols of The Hague and Geneva, and want the document that we are now considering to be placed on a level commensurate with the reality of today, we must insist that this draft convention also provide for the total prohibition of the use of chemical weapons.

75. It is an open secret that in the course of the fiscal year 1970-1971 the budget of the United States Government included \$8 million to increase by 1.3 million gallons of blue and white agents its chemical warfare against the people of South Viet-Nam. Since the beginning of this year, American aviation has stepped up its criminal actions, spraying chemical substances over large areas of the province of Quang Tri in March, Thua Thien in May, Phu Yen in March and April, Tra Vinh in February, Rach Gian in February and Ca Mau in January, March and April. During the first 30 months of Mr. Nixon's administration, toxic chemical products were scattered over practically the entire territory of South Viet-Nam. Because of these criminal activities, the entire harvest and the plant growth were destroyed over an area of 1,880,000 hectares, more than 900,000 persons were affected, the majority of them women and children, and hundreds died.

76. Belying the fallacious propaganda that the United States wishes to withdraw from Viet-Nam, the Yankee administration continues the war indefatigably. It has now extended it to the territory of Laos and Cambodia and by the most savage means increases its repression of the civilian population. At present the number and size of air strikes against the territory of the Democratic Republic of Viet-Nam has already reached during this year a figure greater than the number that existed when Mr. Nixon assumed office. According to American military appropriation laws, for the aerial war in Indo-China alone during the next few years between \$2,000 and \$4,000 million are to be allocated.

77. According to its plan for continuing its war of aggression against the peoples of Indo-China, the North American Government has assigned a very important role to the use of chemical and toxic agents. In this case it is not only a question of fighting the movements of liberation of the peoples being attacked, it is not only a question of physically liquidating the valiant fighters, but also of annihilating a civilian population and even of exterminating all forms of life for an unforeseeable future in the regions that are victims of the diabolical plans of the Pentagon.

78. While we here in this room discuss measures to relax international tension, napalm, defoliating agents and toxic

chemical substances rain down on the people of Viet-Nam. In all their shapes and forms and in enormous quantities these have been visited upon the peaceful workers of Viet-Nam. Three types of defoliants are used: orange, blue and white. Toxic substances, such as CS and their derivatives, CS 1 and CS 2, are used as well as BZ gas.

79. The clamour of world public opinion has in no way slowed down the monstrous aggression of the Americans against the Viet-Nameese people. The order of 26 December 1970 issued by President Nixon announcing the gradual slowing down of the use of herbicides and defoliants in Viet-Nam, excepting in the remote regions of the country and in the regions close to North American military bases, is nothing but a cynical mockery of growing world outrage at these unqualifiable crimes. According to that order, the United States will continue to use defoliants and herbicides in the remote regions of the country and in the regions surrounding their own bases. Apart from the fact that both definitions are sufficiently vague to allow a wide margin for the aberrations of the troops, the International Commission of Enquiry into United States Crimes in Indo-China was perfectly justified when stating:

"It is a fact that the American troops can continue to use such chemical substances over the entire territory of South Viet-Nam since, excepting in the remotest areas, enemy positions and bases can be found in all parts of the country. This order is only a ruse intended to lull public indignation and disguise North American crimes."

80. I do not intend to describe the horrors caused by the indiscriminate use of this savage form of warfare which the American imperialists have launched against the Viet-Nameese people. I shall merely cite the Commission I mentioned earlier which, after having examined abundant evidence, concluded as follows:

"The consequences of the U.S. imperialists' monstrous crimes in the Indo-Chinese countries, especially in Viet-Nam, are unreckonable. This atrociousness challenges all human imagination. They cause not only deaths but also inhuman and lasting sufferings to millions of survivors. Napalm, phosphorus, magnesium, termite, pellet bombs, and fragmentation weapons of all kinds, improved from year to year, maim and deform the victims' bodies, leaving behind wounds hardly treatable or even incurable. 'Defoliants' and 'herbicides', repeatedly sprayed at high dose and concentration and on a large scale, coupled with millions of tons of destructive bombs, lay waste the country, strike at all that live on earth: man, fauna, flora; destroy and upset the nature and the environments of living creatures. For an adequate description of these new crimes (as yet unconceivable, which, up to now, positive law could not provide for, and which even better the genocide in gravity and horror), anxious world public opinion has rightly spoken of 'biocide' and even 'ecocide'."

81. The consequences of this infernal manner of waging war are incalculable and will no doubt last for many years. But in this case it is not only one people that is the victim of the bellicose barbarism of American imperialism, it is also the country in which those people live; nature itself, and life itself. These facts cannot be left outside the door of

this Committee room when we merely study *in vacuo* a document for the prohibition of bacteriological (biological) weapons. The Committee must take these facts into account; it must weigh their dramatic reality and must also prohibit the use of chemical weapons and, first of all, press the Government of the United States, to put an immediate end to their criminal use against the Viet-Nameese people.

82. The Committee must open its ears to the growing clamour of world public opinion that calls for the condemnation of American imperialism for its atrocious crimes. That clamour grows daily and will be even more difficult to silence in the future.

83. The International Commission of Enquiry into United States Crimes in Indo-China, when concluding its second session on 24 June last in Oslo, declared:

"In this process, the United States has been using its highly developed industrial technology to create even more sophisticated methods of destruction. The Commission was shown several new types of fragmentation bombs which evidently have been used for attacks on civilians. It was provided with evidence relating to the chemical warfare in Indo-China which destroys the ecological balance in this part of the world. Fields have become sterile and water poisoned. In large areas there is almost no animal or plant life left. Places where people once lived have become incapable of sustaining human life. These effects, and the social breakdown as a whole, will cause serious difficulties for coming generations in Indo-China. Chemical warfare remains one of the most serious features of the U.S. warfare. It causes damage primarily to the civil population, especially to its weaker members such as children, women, the aged and the sick.

"Evidence also revealed that gas is being used against the civilian population, frequently with lethal results."

84. The international conference of scientific workers, which met in Paris in December 1970, pointed out in turn that contact with defoliants can cause serious vision defects and produce genetic lesions and that dioxine—one of the elements contained in most of the chemical weapons used in Viet-Nam—also has teratogenic effects and causes serious internal modifications which may well be transmitted to future generations. This same conference indicated in its final document:

"There is irrefutable proof of the direct effects of the use of defoliants on harvests, forests and the entire vegetation of a region. They cause general famine and indescribable suffering to the civilian population whose conditions of living are seriously upset. Its long-range effects are profound and very often cause irreversible changes in the ecology, the soil and climate of vast regions in Viet-Nam."

85. The land of Viet-Nam has been turned by the Pentagon into a huge chemical warfare laboratory. This has made the American Government guilty of the most abominable war crimes, that have been condemned by international law and particularly condemned in all relevant conventions of The Hague and Geneva, as well as in the

Principles of the Military Tribunal at Nuremberg. These are crimes that call for resolute condemnation on the part of all States. These are crimes against mankind, against nature, and against life itself. They constitute a loathsome perversion of science and technology, turned by American imperialism into instruments of extermination, into means of delivery of death, destruction and suffering.

86. If the States Members of the United Nations wish effectively to contribute to the conclusion of agreements to reduce the noxious effects of modern warfare on civilian populations, they will, first and foremost, have to assess the dramatic realities of the aggressive war being waged against the people of Indo-China, which is the main war being fought at present.

87. The Viet-Nameese people have heroically and victoriously resisted this war which is an insult to present-day civilization and has thus made the most generous contribution possible to mankind and the cause of progress, independence and peace. It is our duty of solidarity to that people to call for the immediate cessation of these crimes committed against them and for the total, immediate and unconditional withdrawal of all Yankee troops.

88. In the light of this inexorable reality, the Cuban delegation, in expressing its support for the draft convention on the prohibition of the development, production and stockpiling of bacteriological (biological) and toxin weapons and on their destruction, also presses for the immediate destruction and prohibition of chemical weapons.

89. Mr. MATTEI (France) (*interpretation from French*): I think it unnecessary to note, in turn, how much in the field of disarmament reality lags behind the hopes entertained by the United Nations at the end of the Second World War.

90. Several delegations—including my own—have shown, with figures, either here or in the General Assembly, that the arms race had never been as alarming or expensive as it is today. Deeply aware of this state of affairs and of the dangers which it represents for the security of nations and their development, my Government has always been in favour of general and complete disarmament. The progress of science and technology now gives to weapons, whether nuclear or conventional, such a destructive power that the prospect of a world from which resort to force would be banished will soon become not a mere ideal, but a necessity.

91. There is no one today who does not share this conviction. But experts are divided when it is a matter of determining the most appropriate means to translate it into reality. Real disarmament is most often considered to be unrealizable as though put in parentheses and sacrificed to other objectives such as keeping the balance of the forces which share the world. The mistake then is not to strive to maintain a balance, which is of course indispensable for the peace of the world, but to do so without, at the same time, working tirelessly for the elimination of armaments, starting with the most fearful weapons.

92. My Government cannot condone this idea of a mere armistice between man and his power of destruction, an armistice often concluded through discrimination between

States, a balance which can be breached at any time even against the will of the Powers which, possessing most of this power, believe that they are controlling it.

93. This is why my Government has always considered that the task of disarmament will remain an illusion as long as the problem of nuclear disarmament, despite its scope and complexity, is not tackled directly. That is why we also wish to see an understanding among all Powers possessing nuclear weapons.

94. These seem to be truisms, common sense, and I think that they are admitted by most delegations. It suffices to read the statements which greeted the participation of representatives of China in our work. These statements were due to the conviction that, without the participation of all nuclear States, the hope of true disarmament would be in vain. May I, therefore, also welcome the fact that one of the main obstacles which prevented talks between the States has disappeared. Agreement is not ensured, but my delegation believes that the chances are now better.

95. Must I point out once again that there is nothing in that hope which is due to our desire to see a privileged position for the role of some States, ignoring the rights of the whole of the international community in a field which effectively concerns the security of all? It is not a question of admitting that there is a monopoly for a small number of States in a problem whose final settlement requires the effective participation of all nations. This can be seen in our desire to have measures of control and verification which must accompany any disarmament measures, to see them have a truly international character, without which these procedures would not fulfil their purpose. In other words, the five must determine, through appropriate talks, the terms of a possible agreement on genuine nuclear disarmament, so that the disarmament talks may achieve concrete results.

96. These considerations in no way detract from our interest in the talks on the limitation of strategic weapons currently being held between the Soviet Union and the United States. As such, they are not actually within the framework of genuine disarmament endeavours; none the less, until genuine disarmament is achieved they represent an effort to stabilize the present balance between the two greatest nuclear Powers, and we must hope that these talks will succeed. The joint Soviet-American communiqué of 20 May 1971 makes it possible to foresee an initial agreement at an early date. This agreement has not yet been reached. But measures have been taken between Washington and Moscow in order to eliminate the risks of an accidental nuclear war; and note must be taken of these measures.

97. I would recall that Mr. Maurice Schumann, speaking on 28 September at the 1942nd plenary meeting of the General Assembly, mentioned the interest we had in this, in the absence of a genuine disarmament agreement, but also in the hope that it would open up new prospects.

98. I now pass on to the items on the agenda which are of most interest to my delegation. I should like first to thank the Secretary-General for the report which he caused to be drafted upon our request by a group of experts on the economic and social consequences of the armaments race

[A/8469]. This report, due to the initiative of the Romanian delegation, unanimously approved by the General Assembly, is an excellent document which is a tribute to the competence and objectivity of its authors. This is not the first time that the Secretary-General thus answers an appeal on our part. His devotion to the cause of disarmament, the tireless way in which he justly reminds us of the responsibilities of the United Nations in this field are obviously related to the diligence and the care with which he answers our expectations.

99. My delegation has always been in favour of this co-operation between the Assembly and the Secretariat. We consider, in fact, that disarmament problems would be easier to settle on the political level, where they must, of course, be raised, if the elements of these problems were analysed impartially by an unchallenged body. It would certainly be advantageous to have this report which we have just received brought up to date periodically to take into account changes which have occurred in statistical elements on which they are based, and to make possible an ever more detailed analysis of the various problems with which it seeks to deal.

100. I do not intend to undertake a critical review of this report. Generally speaking, the information contained therein is valuable. Its conclusions underline the true dimensions of the disarmament problem to date.

101. Let us have the courage—and this in no way detracts from what I have just said about the report—not to deduce from the conclusions of the report that all military expenditures are to be condemned *a priori*. We do not live in a world where the right of individual or collective self-defence recognized by the Charter to all the States can be abandoned. It is true that at a time when the progress of science and technology makes it possible to develop ever more perfected weapons at an ever-greater rate, it is difficult to satisfy the needs of defence without engaging in this vertiginous arms race. But we must not have any illusions; disarmament alone will not remedy a situation which makes it almost always practically impossible. First, conditions must be met to enable States to renounce the use of force without sacrificing their independence; this is the very object of the policy of *détente* for which the French Government has been devoting the efforts that are well known to all.

102. My Government, however, is interested in any genuine disarmament measure which could be agreed upon immediately by the international community. It is in this spirit that it studied with particular care the draft convention on the prohibition of the development, production and stockpiling of bacteriological weapons, item 28 on our agenda.

103. May I first of all remind the Committee that the French Government was one of the first to express the hope that the 1925 Protocol prohibiting the use of chemical and bacteriological weapons⁸ would be completed by an agreement prohibiting their manufacture. When in August 1968 we answered the Soviet memorandum of

1 July on disarmament,⁹ my Government, after having recalled the interest it had in seeing the Protocol of 1925 applied by all, declared itself: “ready to examine the problems raised by the prohibition not only of the use but also of the manufacture of these weapons, control being an indispensable condition for success”.

104. Of course, we had in mind that the authority and the scope of the 1925 Protocol should in no way be breached by measures on which agreement could be achieved. We hoped, in part for this reason, but also because the credibility of the use of biological weapons remains slight, whilst it is universally known that there are important stockpiles of chemical weapons, that the case of the latter should not be viewed separately from the bacteriological weapons. Finally—as was stated in the text I just quoted from—we thought it indispensable that all prohibition of the manufacture of these weapons be subject to international control.

105. Is the draft convention presented to us [A/8457, annex A] in a position to meet these various concerns? Let us first look at the first two of them: the second, an agreement applying to chemical weapons is, of course, not met. The first, however, that is to say, an agreement which would not modify the authority and the scope of the Protocol of 1925 is, in principle, fulfilled. We do indeed in article VII see that:

“Nothing in this Convention shall be interpreted as in any way limiting or detracting from the obligations assumed by any State under the 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.”

This provision of the draft actually is more a matter of concern than reassurance. It is obvious that no State having ratified the 1925 Protocol can be freed from the obligations thus undertaken merely because it might adhere to the convention prohibiting the manufacture of biological weapons. In principle it was not necessary to specify this. The authors of the draft, however, thought that they were compelled to do so because there is indeed a risk that the 1925 Protocol would appear in the eyes of some as having lost part of its authority. Everybody knows that if chemical weapons were excluded from the draft convention it was because doubts existed as to the prohibition of their use and because of the feeling that some of them should be or could be authorized. I doubt that this draft convention would encourage the States not yet having done so to adhere to the Protocol and renounce the use of chemical weapons, or even biological weapons, although they have undertaken not to manufacture them.

106. This is a very serious fact, not only because these are weapons giving rise to justifiable horror, but also because we are confronted with the first attempt—we willingly agree with this—to set up a genuine disarmament measure. It would be highly regrettable if a step forward were to be followed by a step backward, and that the prohibition of the manufacture of biological weapons should lead to a

⁸ *Idem*.

⁹ Official Records of the General Assembly, Twenty-third Session, Annexes, agenda items 27, 28, 29, 94 and 96, document A/7134.

weakening of the prohibition to use chemical weapons, in other words, that a first step in the field of genuine disarmament should be taken in a manner to prejudice a provision in the laws of war which all countries, even those which have not ratified it, agree to observe.

107. Was it so urgent to prohibit on the international level the manufacture of biological weapons? Was it also unimportant to cast doubt on the scope and authority which the 1925 Protocol has kept to this day?

108. Such are some of the questions asked by my delegation about the draft submitted to us. It does not seem to us that a satisfactory answer has been given, but we might disregard this if we did not have a more serious objection: the absence of any measures for control or verification of an international nature.

109. The procedure for complaints contained in the draft may have a deterrent effect in some cases. Added to genuine control, it could complete its effectiveness but it certainly does not have any of the advantages of control. On the contrary, one could reproach it for being cumbersome and more likely to lead to a worsening of the international climate than to ensure respect for the draft convention. Especially, it does not put all States on a footing of equality. The weaker will hesitate to resort to it, as will the stronger, and its implementation could further be rendered nugatory by the veto of one of the permanent members of the Security Council.

110. This kind of criticism is usually answered by the argument that it is practically impossible to set up control in the field of biological weapons. Therefore the authors of the draft were confronted with the following dilemma: either an agreement without control, or no agreement at all.

111. This is not, in our view, the true problem.

112. My delegation knows full well the difficulties of control in the field of biological and chemical weapons. It knows that these difficulties are considerable, and even more difficult to overcome since disarmament would be limited to those weapons. Within the framework of wider disarmament measures, the possibility and effectiveness of control would indeed be greater.

113. But what my delegation has to note is that, in this specific case, as in the previous case of an agreement on the non-nuclearization of the sea-bed, the question has not been truly raised, as if it had been admitted *a priori* that it would serve no purpose to raise the question. As far as I know, the principle according to which on the international level there cannot be true disarmament without control has never been gainsaid. In order to be the genuine disarmament measure which it could have been, a measure which we would have welcomed, modest though it may be, this draft should have contained at least a minimum reference to this fundamental principle. It would then have played an exemplary role in this virgin field of genuine disarmament.

114. What we fear is not that we would have to renounce biological weapons in the absence of international control; the French Government has decided to do so. What we fear is that on the international level this would be the first step

towards a policy of disarmament without control. Either such a policy would limit itself to prohibiting the manufacture of weapons, the use of which is unlikely in any case; it will then have the serious shortcoming of giving credence to the idea that disarmament is forging ahead, whilst the true dangers will not have been allayed; or, on the contrary, in the field of verification it will be based on the use of national means of observation and will therefore be discriminatory, since not all States have sufficient means. International control as a principle is the indispensable corollary to any disarmament measure of a contractual nature, albeit partial. If this element is ignored, the draft convention on the prohibition of the manufacture of biological weapons is an extremely dangerous precedent, the existence of which could weigh heavily upon all disarmament work. A State cannot merely have faith in the goodwill of other Powers in a field where its security is at stake.

115. For those reasons, and to its great regret, France will not be able to envisage adhering to the draft convention as presented to us. Since, however, we do not wish to dissociate ourselves from the condemnation of biological weapons, we wanted, on a unilateral level, most clearly to proclaim our will to renounce once and for all the manufacture of those weapons. The French Parliament has just been seized of a bill prohibiting the development, production, possession, stockpiling, acquisition or granting of all biological agents which are not designed for peaceful purposes, and it also forbids incitement or assistance in this field to any State, any organization or any person whatever.

116. The agenda of our work also leads us to devote thought to some regional disarmament measures. When States or groups of States, of their own volition and for territories over which they exercise sovereignty, decide upon a measure involving denuclearization or demilitarization, it goes without saying that we have nothing to say in criticism thereof, that we ourselves are too desirous of seeing our own independence respected where we exercise our jurisdiction to question in any manner whatsoever any decisions thus taken.

117. It is in this spirit that we welcomed in 1966 the undertaking for the denuclearization of Latin America even before it was completed. In a letter addressed to the Chairman of the Preparatory Commission for the Denuclearization of Latin America, Mr. García Robles, who, as all of us here know, has given his name to this task, the Ambassador of France in Mexico stated that his Government viewed with full sympathy the efforts that had been undertaken, since they were predicated on the free will of the parties. Today, with the Treaty of Tlatelolco¹⁰ in effect in several of the countries of Latin America, today when the necessary institutions have been set up and are in operation, we can but confirm the feelings we expressed at that time and assure the signatory countries that we intend to do nothing that would infringe upon the principle of denuclearization which they have freely adopted.

118. However, any regional disarmament undertaking that might lead to the granting of a right of control by certain

¹⁰ Treaty for the Prohibition of Nuclear Weapons in Latin America (United Nations, *Treaty Series*, vol. 634 (1968), No. 9068).

countries over others, or that could cast doubt on legal principles of universal application, such as those, for example, concerning the laws governing the high seas, could only give rise to fundamental reservations on our part. It is in this spirit that France, as a riparian State of that ocean, will follow with particular interest the discussion relating to the proposal made by Ceylon to make of the Indian Ocean a zone of peace [A/8492 and Add.1]. Although we share the legitimate concerns expressed at the 1962nd plenary meeting of the General Assembly by Mrs. Bandaranaike regarding any development that could sow the seeds of conflict in the waters also adjoining certain territories under our jurisdiction, we think that it is in the interest of the international community that certain essential principles remain outside all decisions of a specific nature, such as the principle relating to the law of the sea, especially since this subject is soon to be considered on a general level. This is why, although fully agreeing with the concern expressed by the Prime Minister of Ceylon and considering, too, that consultations on this problem could be useful, should they be required, it seems to us the better part of wisdom for our Committee to avoid taking a position of principle in this matter.

119. Regardless of how legitimate may be the interest attached to the various points I have just raised, most delegations, I am sure, are wondering about the future of disarmament undertakings. Everything points to the possibility of their entering into a new phase. The feelings of my country concerning the procedures followed during the past 10 years, the results achieved and the principles underlying them can only lead us to follow with increased interest and vigilance the future development of a cause to which France has always been profoundly devoted. It was in this spirit that we greeted the proposal for a world disarmament conference. My country will lose no opportunity that will enable it, together with all other nuclear Powers, to take part in a practical and effective way, within the framework of the whole international community, in the task of genuine disarmament that still lies ahead for all of us.

120. Mr. MARTIN (United States of America): In his statement at the 1827th meeting, Mr. Bush discussed the contributions that many nations have made to the formulation of the draft convention prohibiting biological and toxin weapons [A/8457, annex A]. He also spoke of the significance of some of the important features of that draft convention. Today I should like to discuss in greater detail some of the specific provisions of the draft and to comment on some of the observations and suggestions put forward here in this Committee.

121. The United States delegation has listened with interest to the comments of other members on the draft convention. We have been pleased by the constructive and positive nature of the general observations that have been made with regard to this document, and by the co-operative spirit in which specific comments on various formulations have been offered. The character of all these remarks, we believe, bears evidence of the desire of members to ensure that this measure will represent a sound and durable step in the field of disarmament.

122. During the negotiations this summer there was some discussion regarding the relationship of this convention to

the reservations of many parties to the Geneva Protocol of 1925,¹¹ by which they retained the right to use weapons covered by that Protocol under certain circumstances. A further question was raised regarding the effectiveness of the present convention in the event of armed conflict between any of its parties.

123. In regard to both of these questions, I should like to call the attention of Committee members to the phrase "never in any circumstances", which is included in the description of the basic prohibitions of the draft convention set forth in article I. This phrase emphasizes the intention of the parties to the convention that, as a practical matter, reservations to the Geneva Protocol should not result in any exception to the total prohibition of biological and toxin weapons achieved by the present convention. Moreover, since war would obviously be one of the "circumstances" referred to, this phrase emphasizes that this convention would remain in full force and effect in time of war. The phrase "never in any circumstances" does not, at the same time, prejudice the rights of parties under the withdrawal clause of article XIII in the conditions set forth in that provision.

124. Since the representative of Ghana, Mr. Akwei, raised a question in his statement at the 1829th meeting on 16 November about the withdrawal clause in article XIII, I might say a word on this subject at this time. During our discussions in Geneva, the delegation of Egypt recommended that a withdrawal clause be included in the present convention. A number of other delegations, including my own, shared the view that the inclusion of a withdrawal clause similar to that of earlier arms-control agreements would be appropriate. The inclusion of that clause in no way implies that a Government would enter into an international agreement of this sort with the thought of later withdrawing. In fact, all parties will be vitally interested in ensuring that no other party would ever be placed in a position where extraordinary events relating to the subject matter of this convention, as article XIII specifies, had jeopardized the supreme interests of its country. It is reassuring to note in this regard that during the post-war period no party to an arms-control agreement has ever made use of the traditional withdrawal provision.

125. Returning now to article I, I would like to emphasize that its provisions would not permit any quantities of biological agents or toxins to be developed, produced, stockpiled, acquired, or retained for hostile purposes or for purposes of use in armed conflict. It would also not permit the stockpiling or retention for non-peaceful purposes of quantities that, when acquired, had justifications for a peaceful purpose, such as meeting hospital requirements.

126. What, then, is meant by the words "prophylactic" and "protective"? In our view the word "prophylactic" covers activities related to the protection of the human body from the effects of organisms or substances to which an individual might be directly exposed. We thus interpret the word "prophylactic" as encompassing medical activities

¹¹ Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare (League of Nations, *Treaty Series*, vol. XCIV, 1929, No. 2138).

such as diagnosis, therapy and immunization, and related research. The term "protective" applies to the development of such equipment as decontamination systems, protective masks and clothing, air and water filtration systems, and detection and warning devices. Laboratory quantities of certain agents and toxins might well be required for research and testing in these areas. Article I thus makes clear that activities covered by the words "prophylactic" and "protective" are not prohibited by the convention. To avoid any possible ambiguity, however, I wish to state unequivocally that the terms "prophylactic" and "protective" are not intended to convey any broader meaning that would in any way permit possession of biological agents or toxins for weapons purposes on the theory that such weapons were for "defensive" warfare, retaliation or deterrence.

127. Article II of the convention provides for the destruction of all agents, toxins, weapons, equipment and means of delivery prohibited by article I. It makes clear that in carrying out such destruction safety precautions should be observed to protect populations and the environment. At the 1831st meeting, on 18 November, the representative of Australia noted the importance of this aspect of the provision and suggested extending the time-limit for destruction—article II specifies nine months—if this should be necessary to ensure that the environment does not suffer. I appreciate the thoughtfulness of this proposal, particularly in the light of the experience of the United States in destroying such materials. As the Committee is aware, we are now engaged in destroying these materials and are converting biological weapons research and production facilities into health research centres. Extraordinary precautions were undertaken to make certain that destruction of our biological weapons stockpiles would pose no danger either to people or to the environment and, as a result, the process of destruction has taken some time.

128. We believe, nevertheless, that the period of nine months, which consultations indicated was generally acceptable to the participants in the negotiation of this convention, is both realistic and appropriate in this document. We would assume that as a country approaches signature and ratification, it would initiate any steps that might be necessary in connexion with article II. Moreover, for States that become parties to the convention after its entry into force, the nine-month period specified in article II would, in accordance with paragraph 4 of article XIV, begin on a date on which that State deposited its instrument for ratification or accession.

129. A number of comments have been made—by the representatives of Australia, Brazil, Ceylon, Ghana, Sweden and others—concerning articles V and VI which set forth the framework for considering problems that might arise under this convention. For our part, the United States delegation attaches particular importance to article V, which contains an undertaking whereby parties are to consult one another and to co-operate in solving any problems which may arise in relation to the objectives of, or in the application of provisions of, this convention. It specifically provides that consultation and co-operation may be undertaken through appropriate international procedures within the framework of the United Nations and in accordance with its Charter. It is our hope that full

utilization of such procedures would clear up any doubts that might arise regarding fulfilment of the convention's obligations. At the same time, we believe that the consultations and co-operation provided for in article V should not necessarily be limited to narrow questions of the technical violation of a particular article but should encompass as well any problems concerning the achievement of the over-all objective of the draft convention.

130. We believe that the draft convention is further strengthened by article VI, which provides that complaints may be lodged with the Security Council of the United Nations by any party which finds that any other party is acting in breach of obligations arising from the provisions of this draft convention. Of particular importance in this regard is the fact that—as members are aware—active consideration is now being given to the drafting of a Security Council resolution whereby the Council would declare its readiness to consider immediately any complaint lodged under article VI of the draft convention, to take all necessary measures in the investigation of a complaint, and to inform the parties to the convention of the results of the investigation. It is the hope of the United States delegation that a strong and straightforward resolution to this effect will in fact be adopted by the Council.

131. Articles V and VI of the draft convention represent the result of intensive consultations during the negotiation of this measure. The present formulation represents a carefully worked out compromise among a variety of proposals and, in our view, the strongest possible provision regarding consultation and complaints that could be achieved.

132. Article VII, the provision on assistance, is responsive to suggestions that were made by a number of countries, including Argentina, Italy, Morocco, Nigeria, the Netherlands, and the United Kingdom. It stresses the great importance of strict observance of the prohibitions of the convention by placing on the highest plane of international concern the question of a possible violation resulting in danger to a party. The provisions of this article do not, of course, affect the obligations or the rights of parties under the United Nations Charter. Under this provision assistance would be provided only following a request by the endangered party, and it would be for each party to decide whether it was in a position to provide or support the assistance requested. We would consider that medical or other humanitarian or relief assistance would be suitable. One other point: while the article, by its terms, would not apply until a decision was made by the Security Council that a party had been exposed to danger as a result of violation of the convention, parties would clearly remain free to provide assistance that they deemed appropriate in the interim. We would expect that many countries would wish to offer assistance as soon as possible—as they would in other situations where a country was in need of humanitarian assistance.

133. Since Mr. Bush placed particular emphasis in his earlier statement on three of the central features of the draft convention—first, the fact that it fully safeguards and protects the validity of the Geneva Protocol of 1925; secondly, that it contains an extremely firm commitment regarding continued negotiations on effective prohibition of

chemical weapons; and, thirdly, that it provides for international co-operation in the peaceful applications of bacteriology and biology—I believe there is no need for me to discuss them in greater detail. Instead, I should like to turn now to some of the other specific suggestions that had been made during our consideration of the draft in the First Committee.

134. The representative of Mexico has suggested an amendment [A/C.1/L.578] whereby parties would undertake to refrain from any further development, production or stockpiling for weapons purposes of chemical agents that have the highest lethal effect. My delegation appreciates that underlying this proposal is the desire for the greatest possible progress with regard to prohibiting both chemical and biological weapons. We are, however, unable to support the inclusion of such a provision in the draft convention for the following reasons.

135. Our work in the Conference of the Committee on Disarmament on the question of prohibiting the development, production and stockpiling of chemical weapons has demonstrated that a better understanding of the problems involved, and of possible solutions, will be required before we will be able to determine what sort of prohibitions in this area will be practicable and reliable. Working papers submitted to the Conference by various delegations have illustrated the extreme difficulty of determining, even by a variety of verification techniques, whether lethal chemical agents or munitions were in fact being manufactured by a particular country. One aspect of the problem is the difficulty of distinguishing between production facilities for chemicals needed for peaceful purposes and production facilities for highly lethal chemical warfare agents.

136. Another problem is that of defining precisely the chemical agents to be prohibited. The Japanese, Netherlands and Swedish delegations have submitted working papers to the Conference of the Committee on Disarmament setting forth a number of possible approaches to this question. Having considered the research that has been done in this area, it is the conclusion of my Government that an undertaking of the sort suggested by the representative of Mexico could lead to confusion, and perhaps suspicion, among the parties as to whether or not others were observing the specific prohibitions involved. In practice, a small variation in a chemical formula could produce an agent which, while technically not included on the list of those to be banned, would retain a high degree of toxicity and lethal effect.

137. For these reasons, we believe it preferable to follow through with the approach embodied in the present draft convention; that is, to prohibit the development, production and stockpiling for hostile purposes of all biological agents and all toxins and undertake a firm commitment to continue negotiations on effective measures for the prohibition of chemical weapons as well.

138. I would turn now to the proposal [A/C.1/L.582] for the addition to the draft resolution on biological weapons of a preambular paragraph regarding the relationship between potential savings from disarmament and the satisfaction of urgent social and economic needs, particularly in the developing countries. We appreciate the

constructive spirit in which 15 delegations have proposed this change. This matter was discussed at some length at Geneva this summer. It was, and remains, a matter of particular importance to the delegations of Brazil and Yugoslavia in accordance with positions taken by their Governments as a matter of high principle.

139. The view of my own Government on this matter is as follows: we believe that an important benefit of agreements in the field of disarmament can be the release of resources for the welfare of people everywhere, including the economic and social development of developing countries. While we recognize that it would be for each Government to decide, in accordance with its constitutional processes, the way in which such resources are to be allocated, we would hope they would keep in mind the concepts set forth in a number of General Assembly resolutions to the effect that the utilization of a substantial portion of those resources for development purposes can contribute materially to the economic and social well-being of all people.

140. We believe it should be possible to work out with the sponsors of this amendment to the draft resolution on biological weapons broadly acceptable language reflecting the positive attitude that is shared here towards this question.

141. The present draft convention prohibiting the development, production and stockpiling of biological weapons and toxins represents a first step—an extremely important first step—toward the prohibition of chemical and biological means of warfare. As many members of the Committee have noted, it is a true disarmament measure. Its broad acceptance will enhance the security of all countries. It will reduce the risk that the deliberate spread of disease would ever be inflicted on mankind as a means of warfare. It will help to ensure that biological and toxin weapons are eliminated from the arsenals of States. It will help to ensure that advances in the field of molecular biology, now being made at breathtaking pace, will be devoted to the benefit and not to the destruction of mankind. Finally, through its firm commitment regarding negotiations of effective prohibitions on chemical weapons, it will assure that all possible efforts are exerted towards progress on this problem.

142. The present draft of the convention is the culmination of some three years of intensive debate and negotiation regarding this subject by the international community. A specific proposal for an agreement in this field was first made at Geneva in the summer of 1968. In the fall of that year, the question of possible prohibitions on chemical and biological weapons was considered in some detail by the General Assembly and resolution 2454 (XXIII) was adopted requesting the Secretary-General to prepare, with the help of experts, a study on the effects of the possible use of these weapons. That report, along with draft conventions submitted by the United Kingdom and the Soviet Union and its allies, was discussed during the twenty-fourth session of the General Assembly in 1969. Following intensive work on this matter in the Conference of the Committee on Disarmament during 1970, the question of prohibiting chemical and biological weapons was again thoroughly reviewed last year at the twenty-fifth session of the General Assembly, which adopted an

important resolution on this subject [*resolution 2662 (XXV)*]. The Assembly has thus devoted a great deal of attention to the question of chemical and biological weapons; it has formulated a number of directives for negotiations in this area; and it has performed an important function in spurring progress toward the consensus developed at the Conference regarding the draft convention now before us.

143. To make certain that the progress achieved will be durable and to make binding the commitment for intensive work on the challenges ahead, we hope that the Assembly will at this session recommend that the draft convention be opened for signature and ratification at an early date so that all Governments wishing to do so may join in an international agreement eliminating biological and toxin weapons.

144. The CHAIRMAN (*interpretation from French*): I should like to inform the Committee that El Salvador has become a sponsor of draft resolution A/C.1/L.580.

*Tribute to the memory of Mr. Wasfi Al-Tal,
Prime Minister of Jordan*

145. Mr. BISHARA (Kuwait): I felt I would be failing in my duty if I did not make a small intervention at this moment. As Chairman of the Asian group I feel it incumbent upon me to express my heartfelt condolences and sympathy to the Jordanian Government and to the Jordanian delegation for the brutal and criminal act of assassination of the Prime Minister of Jordan.

146. I happen to be an Arab, fortunately, and I know our area and our people very well. As veterans of the United Nations meetings here in the First Committee we want to signal an alarm. This brutal action is an action of frustration, despair and fanaticism and all this is the product of the confusion which is now predominant in the Middle East.

147. We in the United Nations have a duty to capitalize on the flimsy chance which is now looming before the United Nations for peace in the Middle East. If we miss this flimsy chance, fanaticism, madness and insanity will prevail and what we want is peace, peace based on justice. If we in the United Nations are unable to achieve that peace which is based on justice, the Middle East will be like the theology of old Greece which talks of a snake with seven heads; you kill one head and another grows in its place. It is called "hydra" in English and I am sure that if we miss this flimsy chance of peace in the Middle East, the Middle East will be a modern hydra of the old Greek theology.

148. A group of Harvard professors last year went to our area and their report was that the Middle East was drifting into madness. I firmly approve of that conclusion and I would say that the Middle East is not only on the threshold of madness but is already drifting into a mad momentum and if we do not seize this flimsy chance which is left for peace based on justice, I not only warn but I give an advance bad omen that the Middle East will witness an era in which reason gives way to madness and in which reason is submerged by extremism and fanaticism.

The meeting rose at 1.05 p.m.