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CONTENTS

	Page
<i>Agenda items 73 and 72:</i>	
<i>Continuation of suspension of nuclear and thermo-nuclear tests and obligations of States to refrain from their renewal (continued) . . . . .</i>	151
<i>The urgent need for a treaty to ban nuclear weapons tests under effective international control (continued) . . . . .</i>	

**Chairman:** Mr. Mario AMADEO (Argentina).

AGENDA ITEMS 73 AND 72

**Continuation of suspension of nuclear and thermo-nuclear tests and obligations of States to refrain from their renewal (A/4801 and Add.1, A/C.1/L.291/Rev.1 and Rev.1/Add.1-2, A/C.1/L.292 and Add.1-3) (continued)**

**The urgent need for a treaty to ban nuclear weapons tests under effective international control (A/4799, A/C.1/L.292 and Add.1-3) (continued)**

1. Mr. MARTINO (Italy), explaining his delegation's amendments (A/C.1/L.295) to draft resolution A/C.1/L.292 and Add.1-3, said the Soviet representative had stated at the 1189th meeting that since the uncontrolled and unverified ban on chemical and bacteriological warfare embodied in the Geneva Protocol of 1925 had been observed, there was no reason to believe that a similar ban on nuclear weapons would not also be effective. However, the analogy was a poor one. The belligerents in the Second World War had known that the use of chemical and bacteriological weapons would not have proved decisive and would merely have provoked immediate retaliation; the ban had been observed out of self-interest rather than humanitarianism. Nuclear weapons, on the other hand, appeared to offer the opportunity of total victory over an enemy. Furthermore, the use of nuclear weapons by one Power would compel other Powers to use them, and as the Chairman of the Council of Ministers of the USSR, Mr. Khrushchev, had stated in an interview in Moscow on 5 September, a nuclear Power which believed itself to be losing a war would unquestionably make use of its nuclear weapons. Hence, the banning of nuclear weapons could be accomplished only within the framework of a disarmament programme based on the principles agreed upon by the United States and the Soviet Union in September 1961 (A/4879).

2. The amendments proposed by his delegation would strengthen the draft resolution's condemnation of the use of nuclear weapons by proclaiming that their use was contrary to the United Nations Charter. However, it was to be hoped that the consultations referred to

in operative paragraph 2 would help to bring about early agreement on general and complete disarmament.

3. If its amendments were adopted, his delegation would support the draft resolution.

4. Mr. SANCHEZ Y SANCHEZ (Dominican Republic) said that while his country regarded the desire of the newly independent African States to preserve their continent from the scourge of nuclear war with deep sympathy, it could not support draft resolution A/C.1/L.291/Rev.1 and Rev.1/Add.1-2. The United Nations was a universal organization dedicated to the maintenance of peace and security throughout the world, and based on the principle of the sovereign equality of all States. But peace was indivisible; and no State or group of States was entitled to special protection in isolation from others. The objective of the draft resolution could be met, in accordance with Articles 52, 53 and 54 of the United Nations Charter, by regional arrangements or agencies of the type of the Organization of American States; the Dominican Republic would warmly welcome the establishment of such a regional organization for Africa. However, it would be dangerous to adopt a resolution designed to secure the exclusive benefit of a specific region of the world; the draft resolution might well be taken to imply that nuclear warfare, while prohibited in Africa, was permissible in other parts of the world. Moreover, if the example of the African States sponsors of the draft resolution were to be followed, the United Nations might be called upon to adopt an endless series of resolutions affording special protection to every region of the world.

5. It was surprising to find the socialist States supporting the two draft resolutions before the Committee, in view of their early insistence that all questions relating to nuclear weapons should be dealt with within the context of general and complete disarmament. Clearly, the sponsors of draft resolution A/C.1/L.291/Rev.1 and Rev.1/Add.1-2, however sincere their intentions might be, were actually being drawn into the cold war.

6. His delegation would be prepared to support various parts of that draft resolution if they were put to the vote separately; it could not, however, vote in favour of certain other parts, which it regarded as discriminatory and accordingly inconsistent with the purposes and principles of the Charter. The Charter knew no privileged regions; the security of a State or group of States could not be preserved to the detriment of the security of all, and the justified concern of the African States could best be dealt with under the heading of general and complete disarmament.

7. The Dominican Republic would vote in favour of draft resolution A/C.1/L.292 and Add.1-3.

8. Mr. GEBRE-EGZY (Ethiopia) said that the effect of the amendments proposed by Italy would be to authorize the use of nuclear weapons on the pretext of

self-defence; they were thus in direct conflict with the draft resolution. The Italian representative had contended that the United Nations Charter permitted nuclear war under certain circumstances. That was not so: the Charter did not permit war, least of all nuclear war. The right of self-defence could not be cited as justification for the use of weapons which could wipe out whole areas of the world. Notwithstanding the remarks of the Italian representative, the Geneva Protocol of 1925, as also the other instruments referred to in the third preambular paragraph of draft resolution A/C.1/L.292 and Add.1-3 and the Convention on the Prevention and Punishment of the Crime of Genocide,<sup>1/</sup> had been inspired by humanitarian rather than purely practical considerations and had contained specific prohibitions of the use of weapons of mass destruction. In 1946, both the United States, in the Baruch Plan for nuclear control,<sup>2/</sup> and the Soviet Union, in the draft convention which it had proposed,<sup>3/</sup> had called for the banning of nuclear weapons because of their indiscriminate nature.

9. Inasmuch as the Italian amendments would completely alter the meaning of the draft resolution sponsored by his own and eleven other delegations (A/C.1/L.292 and Add.1-3), he would vote against them, and if they were adopted would vote against the draft resolution.

10. Mr. MARTINO (Italy), replying to the Ethiopian representative, said that far from stating that the United Nations Charter permitted the use of nuclear weapons, he had condemned the use of such weapons precisely because it was contrary to the letter and spirit of the Charter.

11. Mr. MAKÀ (Guinea), replying to the representative of the Dominican Republic, said that one of the achievements which stood to the credit of the United Nations was the number of African States which had achieved independence and become Members of the Organization. Those States knew absolutely nothing of atomic weapons; yet nuclear tests had been carried out on African territory. The African people, ignorant of what such tests entailed, had not even been consulted on the matter; but the fact that the country concerned had not been willing to carry out the tests on its own territory indicated that the African States had good reason to protest. He hoped therefore that the Dominican Republic and other countries would look at draft resolution A/C.1/L.291/Rev.1 and Rev.1/Add.1-2 in a humanitarian light and reconsider their opposition to it.

12. Mr. BUDO (Albania) said that his delegation welcomed both the draft resolutions before the Committee and considered that their adoption would help to reduce international tension and increase confidence between States, which in turn would facilitate the conclusion of an agreement on general and complete disarmament, the crucial problem of the present day. His Government had always supported similar constructive proposals. Not only was it opposed to nuclear tests and the maintenance of atomic bases on foreign territory, but it was in favour of the destruction of existing stockpiles and the prohibition of nuclear weapons production. It would be recalled in that connexion that two years ago Albania, together with the Soviet Union, had proposed that the Balkans and the

Adriatic should be declared a zone free from atomic weapons and rockets.<sup>4/</sup> His delegation was also in favour of nuclear-free zones in Central Europe, the Pacific and Africa.

13. If his delegation had not supported the two draft resolutions already adopted by the Committee it was because the negative attitude shown by the United States in the Geneva negotiations indicated that the problem of nuclear tests could be solved only within the framework of an agreement on general and complete disarmament. The purpose of the United States and the United Kingdom in submitting draft resolution A/C.1/L.280 had been to distract attention from the problem of disarmament. They wished to have a free hand to continue the arms race and war preparations, as could be seen from recent statements by United States statesmen that their country intended to achieve nuclear superiority in all fields. As long as they pursued that policy, the threat of a nuclear war would continue. If the Western Powers really wanted nuclear tests to be prohibited, they should respond to the Soviet Union's proposals for an agreement on general and complete disarmament.

14. His delegation would vote for both draft resolutions now before the Committee.

15. Mr. BA (Mali) said that he wished to reply to some of the arguments put forward against draft resolution A/C.1/L.291/Rev.1 and Rev.1/Add.1-2. The United States had objected to sub-paragraph (a) of the operative paragraph on the ground that it called for an uncontrolled moratorium. But the proposal had nothing to do with the resolution calling for a suspension of nuclear tests adopted by the Committee at its 1185th meeting (A/C.1/L.283/Rev.2 and Rev.2/Add.1). As far as Africa was concerned, a moratorium had existed in theory ever since the General Assembly had adopted resolution 1379 (XIV) requesting France not to carry out tests in the Sahara. France had disregarded that resolution and was now planning, according to reports in the Press, to carry out further tests in Africa. The United States had fought hard for the adoption of the draft resolution calling for a treaty banning nuclear tests (A/C.1/L.280) and had been successful. If it was so anxious for a treaty, it must believe that nuclear tests should be banned in all countries, including Africa.

16. The United States delegation had also argued against sub-paragraph (b) of the operative paragraph of draft resolution A/C.1/L.291/Rev.1 and Rev.1/Add.1-2 that if African countries were not allowed to store nuclear weapons they would be unable to defend themselves against nuclear attack. But since no African country possessed nuclear weapons, the argument was meaningless, unless one or other of the nuclear Powers intended to test, store or transport nuclear weapons in Africa. If that was the intention of the United States, the situation was very serious, and one could not but ask what value could be attached to its attempt to dissociate itself from the French tests.

17. The United Kingdom representative had objected to the word "neutral" in sub-paragraph (c) on the ground that it would oblige all African States to follow a completely neutral policy in their foreign relations. But that was not the intention of the sponsors; they merely wished Africa to be neutral with respect to nuclear weapons.

<sup>1/</sup> See General Assembly resolution 260 (III).

<sup>2/</sup> See Official Records of the Atomic Energy Commission, First Year, No. 1, 1st meeting, pp. 4-14.

<sup>3/</sup> Ibid., No. 2, 2nd meeting, pp. 26-28.

<sup>4/</sup> See Official Records of the General Assembly, Fourteenth Session, Plenary Meetings, 816th meeting, paras. 125-127.

18. Finally, the representative of the Ivory Coast had said that he would abstain in the vote because the proper procedure in his view would have been for the African Heads of State to meet and take joint action on the problems of nuclear tests and disarmament. But the draft resolution in no way conflicted with that procedure. Until a moratorium was established and a treaty concluded, there was every reason to appeal to the nuclear Powers not to carry out tests in Africa. If they must undertake such tests, they should do so in their own territory—although even then Mali would not be in favour of them.

19. He hoped therefore that the draft resolution would be adopted. If it was not, his delegation would be obliged to conclude that its opponents wished to draw Africa into the nuclear arms race.

20. Mr. TSEVEGMID (Mongolia) said that the establishment of nuclear-free zones would be an effective means of preventing the spread of nuclear and rocket weapons to new countries and continents, and thus of maintaining peace. His delegation therefore supported draft resolution A/C.1/L.291/Rev.1 and Rev.1/Add.1-2. That proposal would be easy to put into effect, because many African States actively pursued a policy of non-alignment, opposed nuclear weapons and sought a rapid solution of the disarmament problem. The peoples of the African countries were seriously disturbed by the report that the French Government intended to carry out further tests in the Sahara. As a member of the large family of Asian and African peoples, Mongolia was directly interested in the establishment of nuclear-free zones in Asia and Africa, which would remove those continents from the sphere of international conflict and reduce the likelihood of war. As a Far Eastern country, in particular, Mongolia supported the proposal by the People's Republic of China for a nuclear-free zone in the Far East and Pacific.

21. Since the aim of its foreign policy was to strengthen peace throughout the world, Mongolia would also support draft resolution A/C.1/L.292 and Add.1-3.

22. Mr. BOUZIRI (Tunisia) said he wished to repeat that his country was opposed to the production, use and delivery of nuclear weapons and supported all measures likely to reduce international tension. Tunisia had accordingly voted in favour of the three draft resolutions on nuclear weapons tests already adopted by the Assembly, and had joined in sponsoring the two texts now before the Committee. As a matter of principle, it condemned nuclear explosions of any size by any Power as crimes against humanity. The explosions of nuclear devices carried out by France in the Sahara, however, trifling they might seem in comparison with recent tests conducted by other Powers, still represented a threat to the continent of Africa.

23. The essential purpose of draft resolution A/C.1/L.291/Rev.1 and Rev.1/Add.1-2 was that Africa should be declared a de-nuclearized zone. In order to dispel the doubts created by the word "neutral" in subparagraph (c), Tunisia would be prepared to agree to the deletion of that word; while the Tunisian Government pursued a policy of non-alignment and would be glad to see all African countries adopt a policy of neutrality, it was not the intention of the sponsors of the draft resolution to impose such a policy on any other State.

24. Objections had been raised to both draft resolutions before the Committee on the ground that they should be considered in the context of disarmament, and not under agenda items 73 and 72. But the Committee had already dealt with three questions which might also have been considered under the heading of disarmament; it had deliberately singled them out as matters of urgency. The question of recognizing Africa as a denuclearized zone was of equal urgency, not only because one of the nuclear Powers apparently intended to conduct further nuclear tests on that continent, but because the three nuclear Powers whose representatives had spoken in the Committee had indicated, by their votes, their clear intention not to comply with the resolutions adopted by the Assembly calling for a new moratorium.

25. It had been argued that even if Africa became a de-nuclearized zone, its security could not be guaranteed in the absence of an effective system of international control. Obviously, since the African States did not possess nuclear weapons or aspire to their possession, there was nothing to control. The only nuclear Powers in Africa were foreign nations, France and the United Kingdom, and those countries were military allies, free to engage in mutual inspection and verification. If necessary, the African States were prepared to assist them; the countries of Africa had no objection to the establishment of effective international control affording safeguards to all peoples.

26. It had also been argued that to de-nuclearize Africa would be to deprive the African States of their right of self-defence and place them at an unfair disadvantage in the event of a nuclear attack by a non-African country. The argument had also been used to justify the Italian amendments (A/C.1/L.295) to draft resolution A/C.1/L.292 and Add.1-3. It was significant, however, that the right of self-defence of the African States had not been mentioned at a time when many of them had been the victims of colonial aggression.

27. The draft resolution sponsored by twelve African and Asian States (A/C.1/L.292 and Add.1-3) was intended as a moral condemnation of nuclear war. It reflected the feelings of peoples all over the world. Its approach to the question was a moral, not a political one. The imperfections in its drafting could easily be remedied, and should not deter delegations from joining in what was basically an appeal to the General Assembly to declare the use of nuclear weapons to be morally reprehensible. While it could of course be argued that the declaration should be considered under the heading of disarmament, it dealt with a pressing question and, like the resolutions calling for a moratorium on nuclear tests and a test ban treaty, warranted separate discussion: in a tense international situation in which threats were being uttered by each side in response to the alleged war preparations of the other, the adoption of a declaration outlawing the use of nuclear weapons became a matter of urgency. Tunisia regretted that the Italian delegation had seen fit to submit amendments to the draft resolution which had the effect of distorting its essential sense. By injecting the question of the right of self-defence, an attempt was being made to move the declaration from the moral to the political level. The Italian amendments substantially weakened the text, and he appealed to the Italian delegation to withdraw them.

28. Mr. MARTINO (Italy) asked the Tunisian representative in what way the Italian amendments distorted

the sense of draft resolution A/C.1/L.292 and Add.1-3. The Italian delegation felt that the amendments would on the contrary strengthen the resolution.

29. Mr. BOUZIRI (Tunisia) said that the Ethiopian representative had effectively set forth the Tunisian delegation's objections to the amendments, which were so numerous and tended to make the text of the draft resolution so unwieldy that their purpose could only be to distort its meaning.

30. He wished to state that it was proper, under certain circumstances, to exercise the right of self-defence; in fact, the African continent should be encouraged to exercise that right at the present time. However, there was no need to refer to the right of self-defence in draft resolution A/C.1/L.292 and Add.1-3, which was designed to condemn the use of nuclear weapons under all circumstances.

31. Mr. MARTINO (Italy) observed that his delegation's amendments (A/C.1/L.295) contained no reference to the right of self-defence.

32. Mr. GEBRE-EGZY (Ethiopia) said that, since the Italian representative now disclaimed any intention of invoking the issue of self-defence and had thus in effect accepted the thesis that nuclear war was not permissible under any circumstances, the Italian amendments no longer served any purpose.

33. Mr. FEKINI (Libya) introduced the Libyan amendment (A/C.1/L.296) to draft resolution A/C.1/L.291/Rev.1 and Rev.1/Add.1-2. The reservations expressed by various representatives had made it clear that the retention of the word "neutral" in sub-paragraph (c) of the operative paragraph would create doubts as to the real purpose of the draft resolution, and in order to dispel any such doubts his delegation was proposing the deletion of that word.

34. Mr. PLIMSOLL (Australia) observed that the two draft resolutions before the Committee brought into focus the great problem of the United Nations: how to go beyond mere expressions of aspirations and principles and institute concrete and effective measures for abolishing not merely nuclear war, but war in general.

35. With regard to draft resolution A/C.1/L.291/Rev.1 and Rev.1/Add.1-2, he pointed out that all countries and continents would like to be sure that they would never be the scene of war; but to state that desire was not sufficient; if it were, the whole problem of war and disarmament would have disappeared. Every African State had the sovereign right to give effect to sub-paragraph (b) of the operative paragraph of the draft resolution in its area or to join with countries in its own or other regions of the world to do so. By working out some regional arrangement for their security, the African States would be taking a practical step towards implementing the proposal.

36. Australia was not opposed to the de-nuclearization of Africa; indeed, it would have expected the sponsors of the draft resolution to carry their intention one

step farther, by seeking to end all forms of warfare in Africa. Consequently, it would not vote against the draft resolution. On the other hand, the proposal was not sufficiently detailed or practical; and it was not the product of sufficient consultation among the countries of the region to lend it the authority which a General Assembly resolution should command. Moreover, it failed to take into account a very real problem, namely, that the nuclear threat to the African States was more likely to come from other continents than from other parts of Africa. Accordingly, Australia would be unable to support the proposal. Nevertheless, the subject-matter of draft resolution A/C.1/L.291/Rev.1 and Rev.1/Add.1-2 might usefully be discussed in the Disarmament Commission or elsewhere in connexion with the general topic of disarmament.

37. Draft resolution A/C.1/L.292 and Add.1-3 sought to outlaw nuclear weapons; but there were other weapons of mass destruction—for example, bacteriological weapons—which might be equally horrible in effect and scale, and the destructiveness even of conventional weapons tended to be underestimated. Moreover, the draft resolution was not practical. Nuclear weapons existed; the defence policy of several great Powers was based on the nuclear deterrent, and even if the draft resolution was adopted by an overwhelming majority, none of the nuclear Powers would destroy its nuclear weapons, halt production of them or cease to base its defence policy on the possibility of using them or of their being used by other great Powers. The Soviet Union had threatened, for example, that its nuclear weapons could wipe out whole cities or whole countries; but it also no doubt took into account the capacity of other countries to devastate its own national territory. The prospect was a horrible one; however, its horror was created not merely by the existence of nuclear weapons but by the very possibility of war. Consequently, the draft resolution, by disregarding great Power policies as they were likely to exist for some time, was unrealistic and might even stand in the way of endeavours to reach agreement on disarmament.

38. Australia would support the Italian amendments (A/C.1/L.295) because they took the declaration embodied in draft resolution A/C.1/L.292 and Add.1-3 as far as a declaration could go. But the Assembly should be aiming at other forms of action: binding agreements and detailed understandings, to be worked out in the various disarmament bodies. It should be considering the priorities to be given to nuclear weapons and detailed measures to prevent their use, including the desirability of demilitarized or de-nuclearized zones in many parts of the world. The primary aim of all States, however, should be to do everything possible in their national and international policies to prevent the outbreak of war anywhere; for in the event of war each side would be tempted to use whatever weapons it had at its disposal, including nuclear weapons.

The meeting rose at 1 p.m.