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Chairman: Mr. Omar Abdel Hamid ADEEL
(Sudan).

AGENDA ITEM 77

The urgent need for suspension of nuclear and thermo-nuclear tests (A/5141 and Add.1, A/C.1/873, A/C.1/874, A/C.1/L.310 and Add.1-4, A/C.1/L.311) (continued)

CONSIDERATION OF DRAFT RESOLUTIONS (continued)

1. Mr. Taieb SLIM (Tunisia) said that the Committee's debate had revealed a general awareness of the dangers inherent in the continuance of the nuclear arms race and a general determination to find some means of ending nuclear tests. The sponsors of the two draft resolutions deserved the Committee's gratitude for their efforts to solve the problem. Basically, the issue was one of creating confidence in a world dominated by two great Powers with opposing ideologies. His delegation was sure that the nuclear Powers appreciated the dangers of the present situation, and was impressed by their evident desire to end nuclear tests. The Conference of the Eighteen-Nation Committee on Disarmament should be encouraged to continue its work, preferably in an atmosphere of reduced tension. The United States and the Soviet Union had already made great efforts to reconcile their different points of view, with encouraging success, but a deadlock had been reached with regard to international control of underground tests, which the Soviet Union regarded as a pretext for spying. It was with regret, therefore, that the Tunisian delegation noted that the Western Powers' draft resolution (A/C.1/L.311) was likely to lead to that same deadlock. It would vote for the thirty-seven-Power draft resolution (A/C.1/L.310 and Add. 1-4), not because it was opposed to the Western Powers' draft, but because the thirty-seven-Power text reflected the effort made by the eight non-aligned nations to bring about a meeting of minds. The eight-nation memorandum of 16 April 1962,^{1/} taken as a basis for discussion, was the best potential link between the two sides.

2. As far as the Canadian amendments were concerned (A/C.1/L.313), most of them would improve the thirty-seven-Power draft resolution, and Tunisia

would vote in favour of them. His delegation, indeed, would support any proposal likely to lead to the cessation of nuclear tests, and it continued to hope that the nuclear Powers would find some way of bridging the gap between them. The many appeals made to them in the Committee should certainly serve as a stimulus to further endeavour. A meeting between the leaders of the two great nuclear Powers might well be the way to overcome the last remaining obstacles.

3. Mr. ZOPPI (Italy) said that in his delegation's view operative paragraph 2 of the thirty-seven-Power draft resolution (A/C.1/L.310 and Add.1-4) amounted to a request for an uncontrolled moratorium, to be enacted not later than 1 January 1963 no matter whether the parties concerned had or had not reached an agreement by that date. But if, as some delegations had suggested, the provisions of that paragraph were to be interpreted as a mere appeal to the nuclear Powers to conclude their negotiations before 1 January 1963, an appeal which would become null and void should an agreement not be reached by that date, then that interpretation should be made clear somewhere in the draft resolution. Moreover, it was to be regretted that operative paragraph 4 did not mention, in addition to the eight-nation memorandum, the two draft treaties submitted at Geneva on 27 August 1962 by the United Kingdom and the United States,^{2/} which represented a most valuable basis for the future work of the Eighteen-Nation Committee.

4. His delegation supported the draft resolution submitted by the United Kingdom and the United States (A/C.1/L.311), which provided for a partial treaty that would stop tests in the atmosphere, in outer space and under water, pending negotiations on a more comprehensive agreement covering nuclear tests in all environments. Such an agreement, while not prejudicing the chances of concluding a complete treaty for the cessation of all tests, would at least satisfy quickly the demand of world public opinion for the ending of tests producing radio-active fall-out. Even though a partial treaty would leave one door open to underground testing for some time, failure to adopt such a treaty would simply mean leaving open the other three doors, which were larger and more dangerous. Moreover, the acceptance of an uncontrolled moratorium might lead at least one of the nuclear Powers to lose all interest in securing a detailed agreement on the cessation of all tests. The result would be that such a moratorium would not be implemented, so that the measure would be self-defeating.

5. Since the thirty-seven-Power draft resolution in its existing form would not give satisfactory and realistic guidance to the Eighteen-Nation Committee which was to reconvene at Geneva in November, his delegation was giving favourable consideration to the Canadian amendments.

^{1/} Official Records of the Disarmament Commission, Supplement for January 1961 to December 1962, document DC/203, annex I, sect. J.

^{2/} *Ibid.*, document DC/205, annex I, sect. O and P.

6. Mr. RIFA'I (Jordan) said that while the cessation of nuclear testing would be unattainable unless the two principal parties came to an agreement on the subject, world public opinion should exert the maximum moral pressure to achieve that end. His delegation would have preferred to see before the Committee a single draft resolution embodying provisions acceptable to both sides and backed by the Committee's unanimous support. It regretted that it had proved impossible to produce such an agreed proposal; however, it believed that the thirty-seven-Power draft resolution could provide an adequate and fair basis for facilitating the continuance of negotiations and the immediate cessation of tests, together with the conclusion of a binding treaty to prohibit nuclear weapon tests. It felt that a moratorium on nuclear tests was necessary, and would be useful and effective, but it did not take sides with regard to the conditions for concluding a comprehensive treaty on that subject. It recognized, however, the indispensability of an agreed formula for control and verification, and felt that such a formula was feasible. In the light of those ideas, it would give serious consideration to any other proposals which might be compatible with the thirty-seven-Power draft resolution and whose adoption could help in achieving a successful test ban.

7. Mr. MELO FRANCO (Brazil) said that Brazil regarded nuclear testing as illegal and did not recognize the right of any Power to carry out tests, whatever the circumstances. Its attitude in that respect had not varied; it had protested against the resumption of tests by the Soviet Union in October 1961, against the announcement of a new series of tests by the United States in March 1962 and against the current series of tests by the Soviet Union. In Brazil's view, all nuclear tests were wrong, and for that reason it fully supported operative paragraph 1 of the thirty-seven-Power draft resolution (A/C.1/L.310 and Add.1-4), of which it was a sponsor. Since his delegation condemned nuclear tests in general, it naturally supported operative paragraph 2, which did not imply the establishment of an indefinite uncontrolled moratorium, as some thought. The whole purpose of the draft resolution was to call for the immediate negotiation of an agreement, which would obviously be subject to control. Operative paragraphs 3 and 4 endorsed the eight-nation memorandum as a basis for negotiations, and that memorandum clearly envisaged arrangements for control. The proposed suspension of tests on 1 January 1963 would merely be a first step, intended to facilitate the negotiations. Brazil had always stressed the need for an effective system of control which would give the nuclear Powers reliable guarantees that the provisions in a test ban agreement were being carried out. Control was fundamental not only to the cessation of nuclear testing but also to disarmament as a whole. That was why Brazil had repeatedly advocated the establishment of expert committees to settle the technical aspects of control and thus lay a solid basis for political decisions.

8. Brazil was in favour of a permanent ban on all nuclear tests, but it would not object to temporary or partial arrangements if they meant real progress and were not merely tactical moves in the cold war; in the Eighteen-Nation Committee it had several times asked why the nuclear Powers did not consider the possibility of suspending tests in the atmosphere, in outer space and under water, since there no longer seemed to be any problem of control in those environments. It had accordingly welcomed the proposal made by the United

States and the United Kingdom on 27 August 1962, and it would not oppose the idea of a partial treaty of the kind proposed in draft resolution A/C.1/L.311 if all tests had not been suspended by 1 January 1963.

9. Brazil would vote in favour of the Canadian amendments (A/C.1/L.313). The first introduced a reference to recent correspondence between the Heads of Government concerned which had created a favourable atmosphere for negotiations. The second, although it added nothing specific to the contents of the draft resolution, was a useful reaffirmation of a state of mind. It was a pity that the Canadian proposal for a recommendation to the parties to enter into an agreement banning tests in the atmosphere, under water and in outer space, failing prompt agreement on the cessation of all tests, had not been embodied in a separate draft resolution, since its inclusion in the thirty-seven-Power draft resolution might lose the latter some support. Nevertheless, the proposal was consistent with the policy advocated by Brazil, and would receive its support, as would the fifth Canadian amendment.

10. Brazil was not opposed to the idea of a limited moratorium under which the nuclear Powers would agree to suspend tests while negotiations on a general test ban treaty were carried on, agreeing also on some effective means of verifying the moratorium. Although Brazil was against any kind of test, it would accept any partial or temporary proposal which would help to eliminate the danger from radio-activity and to check the arms race. It was for that reason that Brazil had proposed to the First Committee (1247th meeting) that the nuclear Powers should immediately investigate the possibility of extending the existing area of agreement so as to cover underground tests above a certain kiloton level. The Brazilian delegation would certainly take the earliest possible opportunity to raise the idea of advancing towards a general agreement by the establishment of successive thresholds for underground tests, when the Eighteen-Nation Committee reconvened.

11. The eight-nation memorandum still offered the most adequate and flexible basis for negotiations even though it had unfortunately not been the subject of genuine negotiations in the Eighteen-Nation Committee, having been transformed into a weapon of the cold war. Brazil refused to take part in cold war exercises, and would not seek to attribute the responsibility for the failure to reach an agreement to either side. If ultimately no agreement was concluded, all the nuclear Powers would be responsible. The non-nuclear Powers, for their part, must not lay themselves open to the charge that they had failed to give expression to the world-wide alarm over nuclear tests and to do everything in their power to bring about agreement.

12. While Brazil did not oppose the idea of a partial solution covering tests in the atmosphere, under water and in outer space, it was well aware of the danger of underground testing, which could accelerate the arms race and might be used by one or other of the parties to make up for deficiencies in its nuclear research in other environments. Moreover, a temporary arrangement such as a moratorium was always liable to be broken off, as had happened the previous year. Thus the goal of the Eighteen-Nation Committee must be a permanent agreement banning tests in all environments. It was quite clear that no lasting solution would be possible without the full co-operation of the nuclear Powers themselves; but it was inadmissible that they should place their so-called security interests above

the interests of mankind, in violation of the letter and spirit of the United Nations Charter. Furthermore, efforts to bring about general and complete disarmament could not be taken seriously while it remained impossible to reach agreement on the limited question of a nuclear cease-fire. That was why the phrase "bearing in mind the vital interests of mankind" had been included in operative paragraph 4 of the thirty-seven-Power draft resolution.

13. The draft resolution submitted by the United Kingdom and the United States was acceptable to Brazil, apart from a few points of detail. Brazil saw no reason for taking a definite position on the type or degree of control required under a general test ban treaty. It would agree to an elaborate control system, if that was necessary, or to a treaty without any international control machinery, if technical progress made that feasible; all that was really essential was that the nuclear Powers should agree among themselves. The recent international crisis had brought home to everyone how real a possibility a nuclear war was. By continuing their tests, the nuclear Powers were undermining the peace and security of the world and endangering future generations. They were creating a climate of war from which it became more and more difficult to escape. At the current Ecumenical Council in the Vatican, the religious leaders of the world had given unanimous support to the Pope's statement regarding the vital necessity of a nuclear test ban. The General Assembly, as the mirror of political opinion, must likewise condemn all nuclear tests and do everything in its power, by whatever means, to remove the threat which the conduct of the nuclear Powers represented for mankind.

14. Mr. ATHAR (Pakistan) expressed gratification that the positions of the two blocs on the crucial issue of controlling a test ban agreement had drawn closer together; he drew attention to the statement of the Prime Minister of the United Kingdom, reported in *The New York Times* of 31 October, that useful negotiations with the Soviet Union on a nuclear test ban might be possible now that it had accepted the principle of independent verification in the recent Cuban crisis.

15. While his delegation found nothing objectionable in either the thirty-seven-Power draft resolution or the draft resolution of the United States and the United Kingdom, it felt that the latter would remain a dead letter if adopted, since the Soviet Union was unwilling to accept its provisions. Since various interpretations had been placed on the eight-nation memorandum of 16 April 1962, which was endorsed in the thirty-seven-Power draft resolution as a basis for negotiation, his delegation had been pleased to hear the Swedish representative state at the 1260th meeting that the draft resolution did not imply opposition to a partial test ban. Any draft resolution that helped to relax extreme positions should be supported; he noted in that connexion that the Soviet Union had accepted the thirty-seven-Power draft resolution as a basis for negotiation and that the United Kingdom representative had described his delegation as in full agreement with almost everything contained in that document.

16. His delegation could not accept the principle embodied in the draft resolution of the United States and the United Kingdom that there could be no cessation of testing until a treaty was concluded. Nuclear tests constituted a hazard to both present and future generations and, as had been pointed out in the Com-

mittee, infringed the legal rights and sovereignty of nations. While his delegation would like to see a test ban incorporated into a treaty providing for the necessary control machinery, it would, in view of the existing situation, vote in favour of the thirty-seven-Power draft resolution. It supported the Canadian amendments to that draft resolution, feeling that they might enable it to gain the unanimous support of the Committee.

17. Mr. HAJEK (Czechoslovakia) said that although all the prerequisites for the discontinuance of nuclear testing now existed, the Western Powers were still seeking to gain one-sided advantages by calling for unnecessary controls or, alternatively, an agreement which would permit them to continue underground testing for the purpose of further perfecting their nuclear weapons.

18. The recent crisis had demonstrated the urgent need for effective action to prevent nuclear war, and had shown that even the most difficult problems could be solved if there was goodwill on both sides. In view of the Soviet Union's recent demonstration of willingness to make substantial concessions in order to avert nuclear war, he urged the Western Powers, and in particular the United States, to give up the unacceptable demands that were preventing the conclusion of a test ban agreement and to accept a reasonable compromise. A suitable basis for negotiation had been created through the initiative of the non-aligned countries at the Geneva Conference of the Eighteen-Nation Committee on Disarmament and in the present debate.

19. His delegation would vote for the thirty-seven-Power draft resolution, despite certain reservations about some of the preambular paragraphs, because it called for the immediate cessation of all nuclear tests, specified a cut-off date for such cessation, and endorsed the eight-nation memorandum as a basis for negotiation. The Western Powers' contention that the imposition of a cut-off date would be tantamount to an uncontrolled moratorium and would threaten their security had been shown by the Swedish and other delegations to be untenable.

20. His delegation found acceptable the first and second of the Canadian amendments (A/C.1/L.313). However, the fourth amendment, proposing the addition of a new operative paragraph 6, would change the meaning of the cut-off date provision in the thirty-seven-Power draft resolution, and was at variance with one of the latter's basic principles, i.e., that testing should be halted in all environments. Many non-aligned countries had supported the view of the socialist countries that a partial test ban would leave the way open for the continuance of the arms race and the wider dissemination of nuclear weapons. Moreover, the argument that the cessation of all but underground testing would eliminate the danger of radio-active fall-out had been disproved, as the representatives of Ghana and India had pointed out, by the report of the United Nations Scientific Committee on the Effects of Atomic Radiation^{3/} and by the testimony of United States scientists. His delegation would therefore vote against the fourth Canadian amendment, and would not support the draft resolution if it was adopted.

21. The draft resolution submitted by the United Kingdom and the United States, which was totally at variance with the thirty-seven-Power draft resolution and embodied the Western Powers' unacceptable con-

^{3/} Official Records of the General Assembly, Seventeenth Session, Supplement No. 16.

ditions for a test ban agreement, would adversely affect further negotiations. His delegation would therefore vote against it.

22. Mr. PACHACHI (Iraq) said that the thirty-seven-Power draft resolution reflected the view that all nuclear weapon tests should be condemned and stopped, irrespective of their size, their type or the country conducting them; it also endorsed the eight-nation memorandum of 16 April 1962, whose suitability as a basis for negotiation had become increasingly clear in the course of the First Committee's debate. As the wording of operative paragraph 4 of the draft resolution showed, while it was proposed that the eight-nation memorandum would be taken as a basis, other methods of approach were not excluded from consideration.

23. With regard to the Canadian amendments to the thirty-seven-Power draft resolution, his delegation fully supported the inclusion of the preambular paragraph welcoming the intention declared in the exchange of letters between the three nuclear Powers to find a speedy settlement of the remaining differences on the question of a test ban, as also the proposed new operative paragraph 3 urging the three Governments to settle the remaining differences between them and to instruct their representatives on the sub-committee of the Eighteen-Nation Committee to achieve that end. The proposed new operative paragraph 6, however, raised many questions of substance. He requested the Canadian representative to inform the Committee whether, in his opinion, the proposed paragraph 6 in any way minimized or impaired the validity of the call for the cessation of all tests by 1 January 1963 contained in operative paragraph 2, which many delegations considered to be the key paragraph of the draft resolution. If the Canadian representative confirmed that there was no contradiction between the proposed paragraph 6 and paragraph 2, that would help to determine the attitude of the Iraqi delegation, as of many others, on that amendment. The last Canadian amendment, while less flexible in its wording than the original operative paragraph 5 of the draft resolution, was acceptable to his delegation.

24. The draft resolution of the United Kingdom and the United States had perhaps become redundant after the introduction of the Canadian amendments; he believed that it would only confuse matters to vote on that draft resolution after the thirty-seven-Power draft resolution was adopted, as he hoped it would be. The basic weakness of the draft resolution submitted by the United Kingdom and the United States was that in effect it condoned the continuance of tests in the event of the failure of the negotiations to produce any results by 1 January 1963. He hoped that the two sponsors would not press their draft resolution to a vote, and would thus enable the Committee to conclude its consideration of the item under discussion with one resolution commanding the widest measure of support.

25. Mr. BLUSZTAJN (Poland) felt that the Committee should not limit itself to the adoption of a purely formal resolution which would simply note all the proposals put forward during the negotiations; it was its duty to express its preferences and give concrete guidance to the negotiating parties.

26. His delegation supported the thirty-seven-Power draft resolution because it fixed an early date for the cessation of all nuclear tests and because it endorsed the memorandum of the eight non-aligned Powers as a basis for future negotiations. The draft resolution of

the United Kingdom and the United States was unacceptable to his delegation, on the other hand, because it offered nothing new and constituted an attempt to obtain the General Assembly's endorsement of the viewpoint of the Western Powers. It was thus incompatible with the thirty-seven-Power draft resolution, which represented a genuine effort to pave the way for a compromise solution; the adoption of one excluded the adoption of the other.

27. With regard to the amendments submitted by the Canadian delegation to the thirty-seven-Power draft resolution, his delegation supported the adoption of the proposed additional preambular paragraph and new operative paragraph 3. It viewed the proposed operative paragraph 6 with great misgivings. If it was to be interpreted as being subject to the overriding appeal contained in operative paragraph 2 of the thirty-seven-Power draft resolution, the amendment was unobjectionable but unnecessary. If, however, it constituted an attempt to introduce the idea of a partial treaty prohibiting nuclear weapon tests only in the atmosphere, under water and in outer space, then it contradicted the spirit and letter of the thirty-seven-Power draft resolution and was therefore totally unacceptable to his delegation. If it was adopted, his delegation would be compelled to review its position on the draft resolution as a whole, since the amendment would considerably weaken the importance of the endorsement of the eight-nation memorandum contained in the draft resolution and would in fact nullify the appeal for the ending of nuclear testing in all environments not later than 1 January 1963.

28. Mr. AIKEN (Ireland) said that the essentials of any law, national or international, were, first, that it should be clear and unequivocal, so that all affected by it should know the precise meaning of its terms and the precise consequences of breaking it; and secondly, that any breach or alleged breach of its terms should be capable of verification and should be subject to the judgement of an independent tribunal in all cases of doubt or dispute. His delegation therefore considered it vitally important that agreements arrived at between the nuclear Powers to stop nuclear tests should provide machinery by which an independent tribunal could investigate alleged breaches, and should specify the measures to be taken in the event of a breach being proved. If it proved impossible in the short run to get agreement between the nuclear Powers on foolproof technical or inspection procedures for the identification of underground tests, then the United Nations should neither attempt to draw a blueprint for such an agreement nor try to force the nuclear Powers to accept an unverifiable and unlimited moratorium. The nuclear Powers should be urged to continue their search for a generally acceptable agreement on the stopping of underground tests, and they should also be urged to conclude an agreement immediately on the stopping of all tests which caused radio-active fallout. In that connexion, he wished to make it clear that the term "underground test" should not be applied to any nuclear test which caused radio-active pollution of the atmosphere or outer space, even if the explosion took place under a layer of soil or rock.

29. Nuclear tests which caused radio-active fall-out were essentially and vitally different from tests which did not. While agreements to stop both types of tests should be negotiated and signed as soon as possible, they should be negotiated in parallel, without connecting one with the other or making an agreement on one conditional on agreement on the other. The stopping of

tests which produced fall-out was even more urgent than the cessation of other nuclear tests, and should be given special attention as a more immediate threat. His delegation therefore supported the Canadian amendments to the thirty-seven-Power draft resolution and the draft resolution submitted by the United Kingdom and the United States.

30. Mr. GEBRE-EGZY (Ethiopia) said that in calling for the cessation of all nuclear tests, the thirty-seven-Power draft resolution was merely renewing similar appeals made in past years; if tests of one type were permitted to continue, others would inevitably follow. It also fixed a definite cut-off date for testing, and endorsed as a basis for negotiation the eight-nation memorandum, which was supported by virtually all the members of the Committee. Moreover, the draft resolution was flexible, in that it did not attempt to provide directives for negotiations between the nuclear Powers.

31. The draft resolution of the United Kingdom and the United States, on the other hand, whatever might be its merits, was a partisan proposal put forward by one of the two blocs. Moreover, it would carry matters backward rather than forward, since it mentioned the eight-nation memorandum only in its preamble, not in its operative part.

32. His delegation welcomed the first and second of the Canadian amendments (A/C.1/L.313) and regarded the fifth amendment as non-controversial. However, the amendment was partisan in that it took a definite stand on a controversial issue.

33. His delegation's vote on the draft resolution of the United Kingdom and the United States and on the Canadian amendments would be determined in the light of those considerations.

The meeting rose at 1.5 p.m.