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

## AGENDA ITEM 26

**Question of convening a conference for the purpose of signing a convention on the prohibition of the use of nuclear and thermo-nuclear weapons: report of the Secretary-General (A/5174 and Add.1; A/C.1/L.319 and Add.1) (concluded)**

### GENERAL DEBATE (concluded)

1. The CHAIRMAN announced that, as indicated in document A/C.1/L.319/Add.1, the delegations of Iraq, Morocco and Mauritania had joined the sponsors of draft resolution A/C.1/L.319, bringing the number of sponsors to twenty-one.

2. Mr. ASIODU (Nigeria) said that the First Committee's debate on the disarmament problem showed that there was little time left to deflect the world from its race towards disaster. The problem of disarmament was a vicious circle, since genuine disarmament could not be achieved unless there was confidence, while if confidence existed there would be no disarmament problem. History showed that the concept of the balance of power—or, as it was sometimes called today, the "balance of terror"—had not served to prevent war, since the balance had always been either temporary or utterly illusory. It was therefore time to seek a more positive basis for safeguarding world peace and security.

3. Since there were several examples in the past of declarations and conventions which had prevented the use of certain weapons of mass destruction, his delegation was grateful to the Ethiopian delegation for the initiative it had taken. His Government had replied to the Secretary-General's inquiry, but its reply had been sent too late for inclusion in document A/5174 and Add.1.<sup>1/</sup> Since his delegation was convinced that the signing of an agreement prohibiting the use of nuclear and thermo-nuclear weapons would be an important advance towards the goal of world peace and security, it had no objection, in principle, to

<sup>1/</sup> The Nigerian reply was subsequently circulated in document A/5174/Add.2, dated 13 December 1962.

the convening of the proposed conference. However, it felt that, if the convention was to be effective, all the great nuclear Powers and all nations with significant military forces or potential must take part in the conference.

4. His delegation was convinced of the First Committee's wisdom in seeking to encourage a positive approach in the negotiations of the Eighteen-Nation Committee, which was not continuing his work at Geneva. During the First Committee's debate, most delegations had favoured the adoption of measures which would contribute to the lessening of international tension and to the achievement of general and complete disarmament. It was in the belief that the Committee should do everything possible to remove the remaining differences of opinion on the disarmament problem that his delegation had joined in sponsoring the twenty-one-Power draft resolution (C.1/L.319 and Add.1). It was to be hoped that the Geneva negotiations would yield positive results during the coming months and would make it possible to move towards the universal adoption of an effective convention prohibiting nuclear and thermo-nuclear weapons of the kind envisaged in General Assembly resolution 1653 (XVI).

5. Mr. MALALASEKERA (Ceylon) recalled that in its resolution 1653 (XVI) the General Assembly had expressed its concern at the fact that the arms race had reached a dangerous stage for humanity and civilization. However, many people had counted on the good sense of statesmen to prevent nuclear catastrophe, and had felt that the bombs were not intended for use but solely as a deterrent. The Cuban crisis had unfortunately shown that the world had been living in a fool's paradise.

6. He wished to express appreciation to the Ethiopian representative for proposing the signing of a convention prohibiting nuclear weapons. According to the report of the Secretary-General (A/5174 and Add.1), only thirty-one of the sixty countries which had replied to his inquiry had expressed willingness to sign the proposed convention. However, as the Ethiopian representative had observed, those figures were not discouraging, since the Governments which had failed to support the idea of signing a convention had not opposed the actual principles enunciated in resolution 1653 (XVI). It was significant that one of the great nuclear Powers, the Soviet Union, had declared itself in favour of a convention banning nuclear weapons as a means of halting the nuclear arms race. Nor was the United States any less concerned with the present threat to mankind, as was attested by the debates which were going on daily in Washington on how to avoid the use of nuclear weapons. The weekly magazine *The Saturday Evening Post* had recently published an article dealing with a group of strategists, known as "defence intellectuals", who had evolved a doctrine of "controlled response" designed

to reduce the chances of nuclear weapons being used and the possibilities of the other side's using them. Indeed, the entire world was experiencing a sense of revulsion against the atom bomb and was making a desperate effort to find means of prohibiting its use.

7. The "defence intellectuals" were now favouring a system of "self-prohibition"; similarly, the Assembly's declaration on the prohibition of the use of nuclear and thermo-nuclear weapons (resolution 1653 (XVI)) was not a disarmament resolution, and did not call for the complete destruction of those weapons. It had moral force, as did various international conventions, most of which had been signed by a majority of the great Powers. The Hague Convention respecting the laws and customs of war on land, signed on 18 October 1907,<sup>2/</sup> and the Protocol prohibiting the Use in War of Asphyxiating, Poisonous or other Gases, and of Bacteriological Methods of Warfare, opened for signature at Geneva on 17 June 1925,<sup>3/</sup> for example, established moral criteria which were now, in effect, part of international law. More recently, the seventeenth and eighteenth sessions of the International Red Cross Conference had condemned the atom bomb and all weapons capable of annihilating a country's armed forces and civilian population.

8. A convention prohibiting the use of nuclear and thermo-nuclear weapons would have binding force, both morally and legally. There were some who felt that a convention would serve little purpose if the non-nuclear States signed it but the nuclear Powers did not. However, while it was true that a nation was not bound by a treaty to which it had not acceded, the treaty inevitably subjected it to moral compulsion. Every convention represented an advance in the development of international law. The proposed convention would bring to bear the force of world public opinion, which not even the nuclear Powers would dare to ignore. States would not be required to give up their nuclear weapons if they thought it necessary to retain them, but they would condemn and outlaw those weapons. Accordingly, the peoples of the world would not be lulled into a false sense of security; on the contrary, the atmosphere of confidence thus created would facilitate their efforts to find a solution to the grave problem of disarmament. His delegation fully supported the idea of concluding a convention prohibiting the use of nuclear and thermo-nuclear weapons, because it had faith in the ability of the United Nations to point the way towards peace and happiness for mankind.

9. Mr. HAJEK (Czechoslovakia) recalled the principles underlying General Assembly resolution 1653 (XVI) and as far back as 1950, the Stockholm appeal of the World Council of Peace which had unreservedly condemned the use of nuclear weapons as a crime against humanity. His delegation fully endorsed those principles and had therefore declared itself in favour of the proposed convention in its reply to the Secretary-General (A/5174). Most of the Governments which had sent replies had endorsed the proposals contained in resolution 1653 (XVI). However, some Governments had taken a negative attitude towards the resolution, questioning the appropriateness of convening the proposed conference or the usefulness of conducting special negotiations on the prohibition of the use of nuclear weapons at a time when the Eighteen-Nation

Committee was continuing its talks on general and complete disarmament.

10. His delegation felt that the proposed convention would have not only moral but also practical importance, if only in view of the negotiations under way on general and complete disarmament. The Eighteen-Nation Committee was deadlocked precisely because of the disagreement over nuclear weapons, and those countries which urged most strongly that the question of banning nuclear weapons should be considered within the framework of general and complete disarmament were the very ones which, in the Eighteen-Nation Committee, had opposed all moves for the inclusion in a treaty on general and complete disarmament of provision for the unconditional prohibition and elimination of nuclear weapons. It could be seen from the working draft of part I of a treaty prepared at Geneva,<sup>4/</sup> for example, that the delegations of the NATO countries had opposed the inclusion of any reference to the principle of banning nuclear weapons in article 1 of the draft treaty on disarmament. Although they recognized in theory that nuclear weapons must be eliminated, the countries in question were thus undermining the efforts being made in that direction. While the conclusion of a treaty on general and complete disarmament would of course be the best way to remove the danger of nuclear war, the fact that negotiations on such a treaty were in progress did not in any sense mean that the use of nuclear weapons should not be prohibited even before the beginning of the disarmament process. Far from interfering with disarmament negotiations, such a ban might contribute to their success.

11. The main reason for the deadlock in the Eighteen-Nation Committee was the fact that political and military circles in many countries could not conceive of a world without nuclear weapons. Common sense and a feeling of responsibility towards mankind as a whole must prevail against that kind of thinking. That was the aim of General Assembly resolution 1653 (XVI), the implementation of which would enable the parties to break the present deadlock. His delegation therefore favoured the conclusion of the proposed convention and was prepared to sign it immediately. However, it was desirable that the Secretary-General should continue his consultation during the next year, so that the new Member States could indicate their views and so that those countries which had taken a stand against the proposed convention could, if they wished, reconsider their position and take a positive attitude.

12. He hoped that a majority of Member States would ultimately declare themselves in favour of signing the convention, and that at its eighteenth session the General Assembly would be able to create conditions favourable to the implementation of resolution 1653 (XVI) and thus hasten the achievement of general and complete disarmament. In the light of those considerations, his delegation would vote for the twenty-one-Power draft resolution.

13. Mr. FAHMY (United Arab Republic) expressed his thanks to the Ethiopian delegation. The current discussion was not concerned with the formality of convening a conference alone; in point of fact it touched on a vital question affecting all humanity. As was stated in paragraph 6 of the Secretary-General's report (A/5174), the Members of the United Nations

<sup>2/</sup> The Hague Conventions and Declarations of 1899-1907, ed. Scott (Carnegie Endowment for International Peace, 1915), p. 100.

<sup>3/</sup> League of Nations, Treaty Series, vol. XCIV, 1929, No. 2138.

<sup>4/</sup> Official Records of the Disarmament Commission, Supplement for January 1961 to December 1962, document DC/205, annex 1, sect. G.

were desirous of continuing the search for acceptable means of eliminating the possible use of nuclear and thermo-nuclear weapons. The General Assembly should bear that in mind and should make a new and positive statement on the question, so as to bring pressure to bear on the States which appeared reluctant to adopt the measures embodied in resolution 1653 (XVI), whose importance had just been confirmed by the recent international crisis.

14. While it might well be hard to visualize how and when the principles embodied in resolution 1653 (XVI) might be implemented, any retreat from them because of practical difficulties was inconceivable; the principles of the resolution should be reaffirmed until they became realities. In that connexion he wished to state that his Government's reply to the Secretary-General's inquiry, reproduced in document A/5174, should not be construed as a departure from its previous stand; the United Arab Republic had consistently in particular at the Belgrade Conference<sup>5/</sup> advocated the prohibition of nuclear weapons and other weapons of mass destruction. At the time when the reply had been drafted, the international climate had been so cloudy that his Government had preferred to delay making a statement until it could observe the progress made by the Eighteen-Nation Committee; now, however, it felt that the time was auspicious for considering the possibility of convening the proposed conference. There was good reason to hope that the Geneva negotiators would reach an agreement on the nuclear test issue before the end of the year; accordingly, it was important to plan the subsequent stages so as to prevent any loss of momentum. For those reasons, his delegation had joined the sponsors of the twenty-one-Power draft resolution, whose provisions were not controversial and did not oblige delegations to take a final decision without adequate preparation.

#### CONSIDERATION OF THE DRAFT RESOLUTION (A/C.1/L.319 and Add.1)

15. Mr. CARDUCCI-ARTENISIO (Italy) said that his Government, although it was sincerely desirous of removing the nuclear threat once and for all, had been unable to support the provisions of General Assembly resolution 1653 (XVI). As his Government had stated in its reply to the Secretary-General's inquiry, the nuclear problem could not be solved piecemeal or by mere statements of intention that would leave intact the entire destructive potential possessed by the nuclear Powers. The problem had to be solved within the context of a broader agreement, and the Eighteen-Nation Committee was the most appropriate body to deal with that task.

16. In that connexion, it had to be remembered that only about forty Member States had replied affirmatively to the Secretary-General's inquiry. Under the circumstances, his delegation—although it was not opposed in principle to such initiatives—would abstain from voting on the twenty-one-Power draft resolution, firmly hoping that the Eighteen-Nation Committee would be able to reach an agreement on the basic problem of nuclear weapons before the eighteenth session of the General Assembly.

17. Sir Patrick DEAN (United Kingdom) recalled that his delegation had voted against resolution 1653 (XVI) because it had not believed that the danger of

nuclear war could be eliminated by a simple prohibition of the use of nuclear weapons. That view had if anything been strengthened by the brutal realities revealed by the Cuba crisis. As long as nuclear weapons existed, the danger of nuclear war would continue, and it would be self-deception to believe that an uncontrolled prohibition of the use of nuclear weapons would provide any security for any one. Uncertainties and unhappiness could not be removed by a mere wish in the matter of the nuclear threat any more than in any other. The fate of the earlier moratorium on nuclear testing had shown what happened when the nations of the world placed their faith in uncontrolled prohibitions of that sort. Indeed, to prohibit the use of nuclear weapons might breed the false impression that aggressive action could be undertaken without risking nuclear war.

18. The Soviet representative had tried to suggest that there was some insincerity, some illogicality in the attitude of Governments which, like that of the United Kingdom, expressed their abhorrence of nuclear war and yet refused to sign a convention to prohibit the use of nuclear weapons. To support his allegations, the Soviet representative had quoted a passage from the United Kingdom's reply to the Secretary-General's inquiry; however, if he had read a little further, the logic of the United Kingdom's position would have been quite clear, as could be seen by anyone who read the rest of the letter, reproduced in document A/5174. On the other hand, there seemed to be a glaring inconsistency in the Soviet position, for the Chairman of the Council of Ministers of the USSR had stated at a press interview in September 1961 that if atomic weapons were preserved and war was unleashed, it would be a thermo-nuclear war, and that therefore world peace must be assured not by undertaking to refrain from the use of nuclear weapons but by a radical solution of the cardinal issues. In October 1962, the First Deputy Chairman of the Communist Party of the Soviet Union had said that if war broke out it would be a thermo-nuclear war from the very beginning. It was for that reason that the United Kingdom Government believed, as the Chairman of the Council of Ministers of the USSR also seemed to believe, that the only sure way to remove the danger of nuclear war was by general and complete disarmament under effective international control. It would therefore be useless to ask the Secretary-General to continue his consultations with Governments. His delegation, while recognizing the sincerity of the arguments advanced by the sponsors of the twenty-one-Power draft resolution, would be unable to support that draft resolution.

19. The CHAIRMAN put to the vote the twenty-one-Power draft resolution (A/C.1/L.319 and Add.1).

*The draft resolution was adopted by 50 votes to none, with 26 abstentions.*

20. Mr. GORE (United States of America) said that his Government was deeply sympathetic with the concern expressed by the sponsors of the draft resolution just adopted. It had long sought and would continue to seek to bring about a state of affairs under which nuclear weapons would be longer form part of the arsenal of any nation. It had submitted a draft treaty on general and complete disarmament which offered realistic measures for the elimination of weapons of mass destruction, and whose final purpose was to subject the use of force to the rule of law. In the meantime, it maintained both nuclear and non-nuclear weapons for

<sup>5/</sup> Conference of Heads of State or Government of Non-Aligned Countries, held at Belgrade in September 1961.

purposes of defence against Powers which had a long history of resorting to force and violence.

21. A convention against the use of nuclear weapons unaccompanied by other measures leading to general and complete disarmament would not only fail to provide real or lasting protection against nuclear attack but could actually increase the danger of aggression, as the United Kingdom representative had said, since aggressors would not then face the danger of nuclear retaliation. Moreover, to deal separately with nuclear weapons, without regard to conventional weapons and armed forces, would be contrary to the fifth of the agreed principles for disarmament negotiations (A/4879) which the General Assembly had endorsed during its sixteenth session, the principle that all measures of general and complete disarmament should be balanced so that at no stage of the implementation of the treaty could any State or group of States gain military advantage and that security was ensured equally for all. The progressive elimination of nuclear weapons depended upon balanced disarmament, which could come about only through negotiation, and not through an illusory prohibition of nuclear weapons or the adoption of meaningless resolutions. The proper forum for discussing nuclear and non-nuclear disarmament was the Eighteen-Nation Committee, and the efforts to achieve a real solution to the problem of general and complete disarmament should be concentrated in that body.

22. For those reasons, his Government had abstained from voting on the twenty-one-Power draft resolution.

Since the resolution was essentially procedural and merely postponed an unrealistic discussion until the following year, his delegation had not thought it appropriate to cast an opposing vote. It hoped that before the eighteenth session it would be generally agreed that the question of weapons control was part of a larger problem, and that no useful purpose would be served by considering at that session a question which required intensive negotiations seeking a realistic, effective and adequate solution of the problem of general and complete disarmament.

23. Mr. MOROZOV (Union of Soviet Socialist Republics) said that his delegation had voted for the twenty-one-Power draft resolution for the reasons it had already stated at a previous meeting. No one had been able to argue convincingly that, failing a solution of the problem of general and complete disarmament, partial measures should not be taken. His delegation had no desire to assign any independent and primary importance to the proposed convention, but it had always stressed the importance of such partial measures. It was therefore not true that the Soviet delegation failed, as had been asserted, to recognize the relation of the problem to that of general and complete disarmament, within the context of which it should be resolved as soon as possible. In the meantime, important, if not decisive, measures should be taken to prevent the outbreak of thermo-nuclear war. For that reason the Soviet delegation had voted for the twenty-one-Power draft resolution.

The meeting rose at 4.45 p.m.