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**Chairman: Mr. Francisco URRUTIA (Colombia).**

**AGENDA ITEM 67**

**International co-operation in developing the peaceful uses of atomic energy: report of the United States of America (A/2734, A/2738, A/C.1/758, A/C.1/L.105/Rev.1, A/C.1/L.106/Rev.1, A/C.1/L.107) (*continued*)**

1. Mr. SOBOLEV (Union of Soviet Socialist Republics) hoped the Committee would excuse him for speaking instead of the Chairman of his delegation, who was ill.
2. During the Committee's discussions, most representatives had stressed the nature of the relations to be established between the United Nations and the international atomic energy agency. His delegation had said that the question of the establishment of the agency was of especial importance and that it was not desirable to assimilate it to the specialized agencies so far as its relations with the United Nations were concerned. Such assimilation would run counter to the principles set forth in the Soviet delegation's *aide-mémoire* of 22 September 1954 (A/2738, communication No. 12) and also, it would seem, to the United States Government's declared intention of continuing discussions on the question of international co-operation in developing the peaceful uses of atomic energy. It was obvious that such co-operation could not be used for purposes alien to the legitimate interests of States. Consequently, the international agency must base its activities on the principle, enshrined in the Charter, of the maintenance of international peace and security.
3. At that stage of the debate it was important to stress the principles on which the international agency should be based, and which should govern its relations with the United Nations.
4. There seemed to be no doubt that such relations must be organized in detail. The United States, in its memorandum of 19 March 1954 (A/2738, communication No. 8), had dealt with the question and had emphasized that the agency must submit reports to the Security Council and the General Assembly.
5. Mr. Nutting had suggested (718th meeting) that the international agency should be established before the nature of its relations with the United Nations was decided, but that view was unacceptable. Unless the

question of relations was first decided, the agency could not be set up, since the nature of its relations would affect its rights, prerogatives and duties. In any case, those relations must not hamper the agency but on the contrary must increase its efficiency by ensuring United Nations co-operation in the fulfilment of its tasks.

6. Those tasks would, of course, be of a technical and peaceful nature, but it must not be forgotten that the peaceful use of atomic energy did not exclude the danger that fissionable materials would be accumulated for military ends. That aspect of the question should not be outside the competence of the agency, and consequently of the Security Council in cases where the Charter provided for Council intervention.

7. It might be asked why the question of the agency's relations with the Security Council was being raised. In order to answer that question it was essential not to confuse the tasks of the agency with those of the Security Council or the Disarmament Commission. Only if there was confusion regarding those tasks would there be any reason to share the fear expressed by the representative of El Salvador (723rd meeting) that the agency might be paralysed by the use of the veto. Obviously, the provisions governing the use of the veto in the Security Council would not apply to the agency. Nevertheless, it could not be denied that the agency's task was connected with that of the Disarmament Commission, which was responsible for prohibiting the use of atomic energy for military purposes. In fact, the task of each of those organs represented a different aspect of the same problem.

8. It was no accident that the United States memorandum of 9 July 1954 (A/2738, communication No. 11) had begun by referring to the dangers of the atomic armaments race and the need to establish a system of disarmament compatible with the security of nations. In that memorandum, the United States had pointed out that the implementation of President Eisenhower's proposal of 8 December 1953 (470th plenary meeting) would improve the prospects for genuine, safeguarded, international disarmament. Thus the United States recognized that there was a close connexion between prohibiting the use of atomic energy for military ends and directing that energy into peaceful channels. Any attempt to sever that connexion was arbitrary and baseless. Although the two tasks were separate, their common factor was that they were intended to place atomic energy at the service only of the well-being of mankind.

9. The solution of the problems arising from the establishment of the international agency would in turn cause great difficulties, because atomic energy intended for peaceful purposes might be diverted to warlike ends. The agency would therefore have to guarantee that there would be no leakage of materials used in the reactors. In that connexion, the United States memorandum of 9 July 1954 had pointed out that

measures might be taken to prevent the diversion of fissionable materials. The United States thereby recognized that leakages were possible and even inevitable. It was therefore important to make a careful study of the measures which could be taken to prevent the peaceful use of atomic energy from increasing the amount of fissionable material available for military purposes. No means had hitherto been found of preventing the conversion of harmless materials into explosives which would be used for the manufacture of atomic weapons.

10. Considerations of that nature made it essential that there should be close relations between the international agency and the United Nations, and in particular, in certain cases provided for by the Charter, the Security Council. As the representative of Burma had said (723rd meeting), the agreements existing between the Organization and the specialized agencies should not serve as models in establishing those relations.

11. Chapters IX and X of the Charter provided for relations between the United Nations and the specialized agencies which were so loose that they could not be regarded as adequate for the proposed international agency. In fact they were based solely on the possibility of consultation, co-ordination and recommendations through the Economic and Social Council. Articles 64 and 66, which dealt with the relations between the specialized agencies and the United Nations, and with services performed by the Economic and Social Council at the request of the agencies, showed that the specialized agencies actually had no responsibility to the United Nations.

12. Some representatives had said that, if a dispute or a situation likely to cause friction were to arise, the Security Council would be in a position to act and that there was therefore no need for a specific provision to that effect in the statute of the proposed agency. By adducing that argument, they recognized that the Security Council would have to take part in the consideration of questions raised by disputes or situations arising out of international co-operation in developing the peaceful uses of atomic energy, if such disputes or situations were within its competence. If that were the case, why not refer, in the agreement between the agency and the United Nations, to the agency's responsibility to the Council in the cases provided for in Charter? Disputes or situations likely to arise as a result of the activities of States or groups of States could not be compared with disputes or situations likely to result from the activities of the future international agency.

13. The USSR delegation had therefore proposed a new amendment (A/C.1/L.106/Rev.1) to the seven-Power draft resolution (A/C.1/L.105/Rev.1), which would replace paragraph 2 of section A by the following paragraph:

*"Recommends that the agency should be established as an agency responsible to the General Assembly and, in the cases provided for by the Charter of the United Nations, to the Security Council."*

14. As the representative of India had stated at the previous meeting, the method of ensuring the co-operation of States which were not co-authors of the draft resolution, and the decision as to which States would be parties to the constituent act of the agency, raised very important questions. The fact that those

questions arose emphasized the need to decide immediately on the closest possible relationship between the United Nations and the international agency. It was obviously impossible to accept the idea that the agency should not be part of the United Nations system. The USSR delegation hoped that its interpretation of the relationship between the agency and the United Nations would be supported not only by India, but by other States.

15. Mr. Menon had also stressed that it was inadmissible to set up different categories of States. As the USSR delegation had already stated, measures connected with the use of atomic energy for peaceful purposes should be taken not only by States Members of the United Nations and the specialized agencies, but by all other States expressing the desire to do so. That applied equally to the question raised by the representative of India. It was inconceivable that account should be taken only of the views of Members of the United Nations, and not of those of all States including non-members, which had shown an interest in the question.

16. The USSR delegation's position on the Indian amendments (A/C.1/L.107) would be in line with what he had just said.

17. The only purpose of the USSR amendment was to avoid the difficulties which might arise in future in the relations between the United Nations and the international agency, and to improve the joint draft resolution so as to enable the international agency to discharge its functions successfully.

18. Mr. MENON (India) said that, when the question under discussion had been placed on the agenda his delegation had vainly sought information on it so as to be able to make a more useful contribution to the debate. At the beginning of the debate, the First Committee had been presented with a draft resolution (A/C.1/L.105) which fell short in many respects of the great initiative taken by the President of the United States and afterwards confirmed by Mr. Dulles. The Indian delegation, in the interpretation of its duties in the United Nations, had made certain suggestions and proposed a few amendments in a spirit of co-operation. The suggestions bore on three aspects of the problem: the relation of the United Nations to the agency before it was set up; the actual process of setting it up; and the relation of the agency to the United Nations, once it was set up.

19. The Indian delegation was happy that the author of the joint draft resolution had accepted its suggestion regarding the first of those aspects and that, in the revised text (A/C.1/L.105/Rev.1), it was stated that the General Assembly expressed the hope that the international agency would be established.

20. India had made seven suggestions to the author of the draft resolution. The suggestions merely reflected the doubts felt by India and other countries, such as the Philippines, Burma, Lebanon and Ecuador. All the suggestions but one had been accepted. But that one was important enough to warrant special attention; and that was why the Indian delegation was submitting it once again in the form of an amendment (A/C.1/L.107).

21. Several representatives had expressed surprise at the smallness of the group of States which was to constitute the international agency. It was indeed unfortunate that such an organ should be set up by

group made up exclusively of European or quasi-European countries. The Indian delegation was gratified by the United States representative's statement (717th meeting) that the co-authors of the joint draft resolution had no intention of excluding anyone or any idea. It nevertheless hoped that it would be very clearly stipulated that the agency would not be so constituted as to lend the support of the United Nations to the exploitation of colonies against the interests of their peoples. When the agency was set up and its relationship with the United Nations decided, care must be taken to see that one of the main principles of the Charter, the advancement of living standards in the under-developed countries, was observed.

22. Mr. Menon was grateful to the sponsors of the draft resolution for accepting his suggestion with regard to the relationship of the agency to the United Nations before it was set up. As a result, the revised text expressed the General Assembly's approval of the proposed agency and contained what amounted to a recommendation to Member States to assist in its establishment. It should, however, be pointed out in that connexion that the Indian delegation would have preferred a clearer wording, reflecting its suggestion that the General Assembly should invite all Member States to assist in the establishment of the agency. It was on that point that there was the greatest divergence of views between India and the sponsors of the draft resolution.

23. It had been proposed originally that the agency should be set up by the Powers sponsoring the draft resolution and Portugal, and that States with suggestions to make should contact one of the Powers participating in the creation of the agency so that their proposals could be considered.

24. Since then, the United States representative had given some clarifications which were more in line with the position stated by the President of the United States (470th plenary meeting) and later confirmed by Mr. Dulles (475th plenary meeting). On 15 November, in the First Committee (716th meeting), Mr. Jackson had spoken of the creation of an international agency whose initial membership would include nations from all regions of the world. On the same date, Mr. Lodge, referring to Mr. Dulles' statement, had said (717th meeting) that no nation would be excluded from participation in the great venture, in which all nations that were interested and willing to take on the responsibilities of membership would be welcome to join, as the proposals took shape.

25. The wording India suggested came close to that idea, except that India believed that all nations should have an equal part to play in the actual elaboration of the statutes of the agency. Contrary to what had been understood, India had never proposed that there should be a conference of sixty States to set up the agency, but it thought there should be a series of bilateral negotiations which would enable all the interested parties to take part in the creation of the agency.

26. The sponsoring Powers now contemplated maximum participation in the formulation of the statutes of the agency. The Indian delegation would have preferred the idea to be more clearly expressed in the draft resolution, but it considered as honourable underlining the statements by the representatives of the

United Kingdom (718th meeting) and the United States (717th meeting) that there was no question of presenting Member States not participating in the negotiations with a *fait accompli*.

27. The main purpose was to establish the agency. The Indian delegation was not entirely happy about either the competence or the scope apparently envisaged for the agency. It had referred to certain difficulties and there were others which it wished to point out purely in a spirit of co-operation. The Indian delegation, considering that it was for the great Powers—the States with the greatest responsibilities—to take the initiative, hoped that its suggestions would be reconsidered and incorporated in a revised text.

28. Mr. Menon wished to make it clear that his delegation, in agreeing to the wording of the second paragraph of the preamble to section A, understood the provision to mean that the General Assembly noted only the fact of negotiations, not the substance of them, as it had been informed of only part of them. India supposed that, as communications had been exchanged between the Soviet Union and the United States, the negotiations were continuing and there was little to communicate for the time being.

29. In the light of the discussion, the conclusion might be drawn from the United States representative's remarks (717th meeting) to the effect that geographical distribution must weigh in the constitution of the agency and its board of governors, that the capacity of countries to contribute must also be taken into account and that the constitution of the agency would not be of such a character as to lead other countries to regard it as a *fait accompli*.

30. No statement made by the United States representative during the debate could be regarded as isolated from the principles stated by President Eisenhower or from the elucidation given by the United States Secretary of State. India would supply all the help it could in that spirit, but it could not be a party to the establishment of an agency which was not based on the principle that the owners and producers of atomic raw materials should not be subject to exploitation.

31. The Indian delegation would not press for a vote on its amendments. However, it would not withdraw them and asked that they should remain part of the record, in accordance with a procedure followed on other occasions. The First Committee's decisions on the subject should be unanimous or at least not meet with opposition. A vote on the Indian amendments might diminish the feeling of unanimity and thus conflict with the Indian Government's own wishes. Although the draft resolution was not wholly satisfactory, India was ready to be conciliatory and to support it. It urged, however, that its suggestions should be borne in mind.

### ***Tribute to the memory of Mr. Andrei Vyshinsky***

32. The Chairman apologized to Mr. Menon for interrupting him. It was his painful duty to announce the death of Mr. Vyshinsky, permanent representative of the Union of Soviet Socialist Republics to the United Nations. He proposed that the meeting should be adjourned immediately and that the meeting scheduled for the afternoon should be cancelled in order to

allow representatives to express their sympathy to the Soviet delegation in the General Assembly.

33. He invited the members to observe a minute's silence.

*The members of the Committee rose and observed one minute's silence.*

The meeting rose at 12.50 p.m.