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VERBATIM RECORD OF THE 27th MEETING

Chairman: Mr. ORDONEZ (Poland)
(Vice-Chairman)

CONTENTS

Consideration of and action on draft resolutions under all disarmament agenda items

Programme of work

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In the absence of the Chairman, Mr. Ordonez (Philippines), Vice-Chairman, took the Chair.

The meeting was called to order at 3.30 p.m.

AGENDA ITEMS 47 TO 65 (continued)

CONSIDERATION OF AND ACTION ON DRAFT RESOLUTIONS UNDER ALL DISARMAMENT AGENDA ITEMS

The CHAIRMAN: I call on the representative of Argentina, who will introduce draft resolution A/C.1/46/L.9.

Mr. GARCIA MORITAN (Argentina) (interpretation from Spanish): In my capacity as Chairman of the Third Review Conference of the Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, I should like to introduce draft resolution A/C.1/46/L.9, which reflects the work accomplished by the Review Conference with regard to the functioning of the Convention since the last Review Conference.

The draft resolution, which is open to sponsorship by all States Parties, notes with satisfaction that on 27 September 1991 the Third Review Conference of the Parties adopted by consensus a Final Declaration.

In this connection I should like to note that in my opinion that Final Declaration constitutes a concrete contribution to strengthening the Convention and has made it possible to give a fuller and more detailed treatment to some of its crucial provisions, I would refer in particular to the decisions adopted in the important area of conffdonce-building measures. In that regard the Final Declaration is self-explanatory.

With regard to verification, an area upon which the attention of the international community is particularly focused, the Third Review Conference took a first step forward by establishing an Ad Hoc Group of Governmental

(Mr. Garcia Moritan, Argentina)

Experts, which, in a few months, will be analysing the scientific and technological aspects of an area in which the Convention has so far failed to meet the expectations of all its Parties.

Of course. a bit more audacity might have enabled us to move ahead with greater resolution in this area. However, the reality of negotiations and the need for compromise set limits to what was actually possible, although some might well have wished for greater celerity.

The draft resolution now before the First Committee highlights the central aspects of the decisions adopted by the States Parties, which, with the beginning of the work of the Group of Governmental Experts, have set in motion an active process of confidence-building and verification. It also reflects the substantial assistance of the United Nations Department for Disarmsment Affairs, which will continue to play a part in the follow-up of the Conf erence. The contribution of that Department will undoubtedly be of inestimable value in this regard.

It is worth noting that the cost of the exercise will of course be borne by Member States. In the light of the financial difficulties of the United Nations, it would always be helpful if appropriate funds for assistance could be provided to the Department for Disarmament Affairs at least six weeks prior to the commencement of appropriate activities.

In this connection I should like to express my gratitude to those associated with me in the effort undertaksn in Geneva last September, Ambassador Lang of Austria, Chairman of the Credentials Committee) Amba-sador Wagenmakers of the Netherlands, Chairman of the Plenary Committee, and Ambassador Toth of Hungary, Chairman of the Drafting Committee. I should also like to express my gratitude to the Secretary-General of the Review

(Mr. Garcia Moritan, Argentina)

Conference, Mr. Sammy Buo, who led the secretariat tesm with particular efficiency. My thanks go also *to* the Under-Secretary-General for Disarmament Affairs, Mr. Yasushi Akashi, for his assistance and advice, as well as the representative of the Secretary-General, Mr. Sohrab Kheradi.

The international community has a growing need for effective legal instrvments to protect it from the total threat of weapons of mass destruction. In carrying out its tasks the Third *Review Conference* focused on one of the most terrifying cf all categories of weapons *of* mass destruction, namely, biological weapons. In so doing the Conference was demonstrating the enormous importance of the Convention and its potential for becoming even stronger in future.

Our job is not over. Indeed, it must continue. The draft resolution now before the Committee is the engine that can give impetus to the substantive decisions adopted by the States Parties. We therefore trust that the First Committee will adopt the draft resolution by consensus.

Mt._ (United Kingdom): As this is the first time I am addressing the First Committee, I should like to express, on behalf of the United Kingdom delegation, our sincere congratulations, through you Sir, to the Chairman *of* the First Committee on his assumption of his office, as well as to you and the other officers of the Committee on your elections to your posts. I assure you of the full support of my delegation.

I also wish to thank Mr. Yusushi Akashi, Under-Secretary-General for Disarmament Affairs, and our *Secretary,* Mr. Kheradi, and his staff for their support of the Committee's work.

(Mr. Kenyon, United Kingdom)

As we have just heard the representative of Argentina, who presided over the Third Review Conference of the Parties to the biological and toxin weapons Convention introduce the draft resolution relating to that Conference, it seems an appropriate moment for me to make a statement I am instructed to make by my Government. I should like to repeat here an announcement first made to that Conference, on 27 September.

When the British Government acceded to the 1925 Geneva Protocol, it made a reservation which inter alia maintained its right to rotsliate in kind if biological weapons were used against the United Kingdom. The United Kingdom abandoned offensive research in biological weapons in the 1950s. Since then, United Kingdom research has been entirely defeace-oriented. On acceding to the biological weapons Convention, the United Kingdom gave legislative effect to its provisions in the United Kingdom by means of the Biological Weapons Act of 1974.

I am pleased to report that on 27 September 1991 the British Government announced its intention to withdraw that part of its reservation to the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva in 1925, which maintained the United Kingdom's right to retaliate in kind if biological weapons were used against the United Kingdom.

That decision reflects the continued commitment of the British Government to the provisions of the 1925 Geneva Protocol and the 1972 biological and toxin weapons Convention banning, respectively, the use and the development, production and stockpiling of those weapons.

The CHAIRMAN: I call on the representative of Brazil, who will introduce draft resolution A/C.1/46/L.29.

Mr. ARAUJO CASTRO (Brazil): On behalf of the delegations of Argentina, Canada, France, Germany, Hungary, India, Peru, Spain, Uruguay and Brazil I have the honour to introduce the text of draft resolution A/C.1/46/L.29, on the subject of the transfer of high technology with military applications.

The theme of the draft resolution is as timely as its text is simple. In his report on the work of the Organization to the forty-fifth session of the General Assembly, in 1990, the Secretary-General referred to the importance of providing unimpeded access to the benefits of modern science and technology without spurring a qualitiative arms race that would destabilize regional and even global security. In that connection he suggested that

> "the international community make a special effort to clarify the important issues involved and produce clear and fair guidelines acceptable to all". (A/45/1, p. 20)

This year in his report to the forty-sixth session of the General Assembly, Secretary-General Perez de Cuellar once again underscored the subject, stating that

> "Assuring orderly flows of badly needed technology to developing countries, without leading to weapons proliferation, is an issue of great importance. What is needed is a formula for cooperation involving greater willingness by the industrial countries to meet the needs of developing countries for science and technology for peaceful purposes, coupled with genuine openness among recipients about their end-use." (A/46/1, p. 11)

(Mr. Araujo Castro, Brazil)

In resolution 45/62 B, adopted by consensus, the General Assembly recommended that the Disarmament Commission include in its working agenda for the 1991 substantive session an item entitled "The role of science and technology in tbe context of international security, disarmament and other related fields". Accordingly, at its organizational session held on 4 December 1990. the Disarmament Commission decided to establish Working Group IV to deal with that agenda item.

During the 1991 substantive session of the Disarmament Commission, the Working Group identified four aspects that were deemed to merit consideration and which would allow *for* a structured debate during the three years tc be dedicated to the subject. Those four aspects or sub-items are: scientific *and* technological development8 and their impact on international security; science *and* technology for disarmament; the role *of* science and technology in other related fielder and the *transfer* of high technology with military applications.

The initial debate held during the 1991 session was conducted in a very constructive atmosphere, and it consisted of what was described as brainstorming on the different aspects of tbe issues involved. As stated in the report of Working Group IV on that agenda item,

> "the discussions . . . were considered to be quite useful. They revealed tbat the Working Group is very much aware of the basic difficulties of its mandate, a complex, wide-ranging and challenging mandate encompasslug matters that had never before been dealt with in a systematic debate in the United Nations**. (A/46/42, para. 42 (12))

(Mr. Araujo Castro, Brazil)

So far as the sub-item on the transfer of high technology with miltary applications was concerned, interest was expressed in continuing to work on the subject,

"bearing in mind the proposal for seeking universally acceptable international norms or guidelines that would regulate international transfers of sensitive technologies, while ensuring that such norms do not deny access to high technology products, services and know-how for peaceful purposes". (A/46/42, para. 42 (16))

Other relevant suggestions were also made and were adequately reflected in the report of the Working Group, adopted by consensus at its 11th meeting, on 10 May 1991. The substantive and constructive nature of the elements contained in the report attest fully to the timeliness of the matter.

Let me say a few words on the text of draft resolution A/C.1/46/L.29. The first two preambular paragraphs make reference to the report of the Disarmament Commission and to the report of its Working Group IV. The third preambular paragraph borrows from the language contained in the report of that Working Group concerning specifically the future consideration in that forum of the question of the transfer of high technology with military applications. The fourth preambular paragraph restates two aspects involved in the regulation of transfers of high technology with military applications, namely the legitimate requirements for the maintenance of international peace and security, and the need not to deny access to high technology for peaceful purposes.

(Mr. Araujo Castro, Brazil)

In operative paragraph 1 the General Assembly would call upon the Disarmament Commission to continue its consideration of the theme in 1992 with a view to concluding its work on this matter in 1993. In paragraph 2 it would invite Member States to transmit information and comments on the subject taking into account relevant arrangements, laws and regulations. In paragraph 3, the last paragraph, it would request the Secretary-General to submit a report to the General Assembly at its forty-seventh session taking into account the information and comments received.

As can be seen from the text, the draft resolution is essentially a procedural one, the main aim of which is to underscore the importance of the theme and to collect relevant inputs to enrich the debate on this matter. In that regard, although the information and comments from Member States are to be reported by the Secretary-General to the General Assembly at its next session, the early submission of such views should be encouraged so that an initial draft of the report could be made available to all delegations in time for the 1992 substantive session of the Disarmament Commission.

(Mr. Araujo Castro, Brazil)

Finally, I would like to underscore the importance of the theme of this draft resolution and to stress it6 cooperative nature and the constructive spirit in which it is presented. The very list of sponsors attests to the convergence of interest8 among countries from different regions and groups. The text of the draft resolution benefited not only from contributions from the sponsors but also from other interested delegations, whose suggestions were welcomed by the sponsors.

It is the hope of the sponsors of draft resolution A/C.1/46/L.29 that it may be adopted without a vote.

Mr. GARCIA MORITAN (Argentina) (interpretation from Spanish): The representative of Brazil, Mr. Araujo Castro, has just introduced the draft resolution in document A/C.1/46/L.29 and, among other things, he has emphasized the objectives of the sponsors in a matter which is going to acquire increasing importance.

In thin respect, much has been said about the positive effects, and also in some cases the less positive effects, Of scientific discoveries and progress. It ha6 also been rightly pointed out that technology has a neutral attitude toward6 the use which may be made of it. For that reason, the exchange of views and ideas regarding the uses and control of so-called dual-purpose technologies deserves, in our opinion, thorough and proper consideration.

We believe that dynamic international cooperation and equitable access to high technologies would substantially promote and accelerate economic and social development and at the same time help foster international confidence- and security-building.

(Mr. Garcia Moritan, Argentina)

These considerations, among others, point to the need for us to seek an international consensus that will make it possible to reach an agreement on balanced guidelines which will take into account the emerging aspects of the dual use of any technology and which will at the same time not be detrimental to the transfer of such technology, nor the economic and industrial requirements involved.

It is doubtless possible to reconcile the establishment of appropriate confidence-building measures designed to strengthen international security with mutually complementary actions based on a system of cooperation and the transfer and exchange of information on high technology. It is in this spirit that my delegation hopes that draft resolution A/C.1/46/L.29 will be a contribution which will help build that consensus.

We therefore hope that although the comments and information from Member States will he submitted to the General Assembly at its next session through the Secretary-General, it would be most valuable if they could be submitted as soon as possible so that they may be made available to delegations at the next session of the Disarmament Commission.

Mrs. RODRIGUEZ (Uruguay) (interpretation from Spanish): I wish to make a few comments in support of draft resolution A/C.1/46/L.29, entitled "The transfer of high technology with military applications", which has just been introduced, with particular eloquence and clarity, by the representative of Brazil and which my delegation is pleased to co-sponsor.

The problem of the transfer of high technology with military applications is inevitably a complex issue. It involves matters concerning free access to

(Mrs. Rodriquez, Uruguay)

high technology for economic and social development, the free flow of goods and services, and also the implementation of the principle of legitimate self-defence. To this must be added the immaterial nature of tsnhnology and the difficulties inherent in it6 dual use.

This complexity cannot make us disregard the frequenay with which the subject is mentioned in regard to international security, peace and Stability. A6 recent experience in the Gulf crisis ha6 shown, it may be a destabilizing and unbalancing faator in global and regional terms.

In hi6 annual report the Secretary-General raises the question, very properly and rationally, when he refers to the need to assure the orderly flow of technology to the developing countries without having this result in a proliferation of weapons. In this respect we believe that the international community as a whole sharer that concern with regard to this phenomemon.

This was emphasized in the substantive debate in Working Group IV of the Disarmament Commission, under the chairmanship of Ambassador Artujo Castro of Brazil. It was then that there began the analysis of a subject never dealt with before in a systematic debate at the United Nations. It was evident that there was an interest in further consideration of this question and in the proposal to establish universally accepted norms or guidelines for the transfer of such technologies. We believe that the national rules and existing international arrangements constituted a very useful basis for a general consideration of this subject.

(Mrs. Rodriguez, Uruguay)

As we see it, draft resolution A/C.1/46/L.29 now before the Committee takes into account all of these considerations. The draft resolution also has the merit of emphasizing the question of the transfer of critical technology, and it has the advantage, in our opinion, of approaching the issue in a realistic manner. It is a suitable way of supplementing the collective debate in the Disarmament Commission with national data and opinions. It is the hope of my delegation that this draft resolution will be adopted without a vote.

Ms. MASON (Canada): I would like to speak to items 51 *and* 53, *and* partiaularly with respect to doaument A/C.1/46/L.4, which is under the combined title "Cessation of all nuclear-test explosions" and "Urgent need for a comprehensive nuclear-test-ban Treaty".

In my opening statement to this Committee, I reminded delegations of the high priority which Canada continues to attach to a fundamental Canadian arms control objective: the conclusion of a comprehensive nualear-test-ban treaty, I referred to the useful work at the Conference on Disarmament towards this goal, a6 well as the importance of the United States and the Soviet Union taking immediate steps to build on existing testing limitations with a view to concluding further measures leading to an effectively verifiable ban on all nuclear-test explosions.

(Ms. Mason, Canada)

In previous First Committee sessions Canada has worked closely with Australia and New Zealand and other sponsors in the formulation of one of the two draft resolutions traditionally adopted by the Committee on the subjeat of a comprehensive nuclear-test-ban treaty. This year the Canadian delegation ha6 likewise been active in the elaboration of draft resolution A/C.1/46/L.4, and we warmly welcome the achievement of a common text by the two group6 of sponsors of draft resolutions calling for a comprehensive test-ban treaty. Canada shares the view expressed by Ambassador O'Brien of New Zealand that draft resolution A/C.1/46/L.4.

> "represents a very real effort by all concerned to promote a practical, positive approach" (A/C.1/46/PV.25, p. 8)

to this difficult issue. We hope that the adoption of the draft resolution will encourage further efforts and concrete steps toward6 the goal of a comprehensive aualear-tort-ban trraty.

PROGRAMME OF WORK

The CHAIRMAN: A6 representatives will recall, at an earlier meeting of the Committee the Chairman indicated that an informal paper containing a list of all the draft resolutions on the disarmament agenda items, arranged in appropriate clusters, would be distributed today.

Following intensive consultations with the Bureau of the Committee, I am in a position now to present to the Committee a paper setting out the Chairman's suggested programme listing those draft resolutions in different clusters. I believe that it is being distributed now,

Au representatives ace aware, there has evolved during the past several years with respect to the clustering exercise a certain pattern which was

(The Chairman)

taken into account when the officers of the Committee undertook the task of grouping the various draft resolutions on the basis of the most logical and practical ariteria available, including, to the extent feasible, the subject-matters involved.

In this connection, I would like to reiterate that the Bureau of the Committee was guided in its task by its desire to facilitate and expedite the Committee's work with a view to ensuring the most effective and efficient utilization of the time, as well as conference resources, available during this phase of the work of the Committee.

With regard to the programme of work and timetable for action on draft resolutions, on the basis of precedent it is the Chair's intention to move, in 60 far as possible, from one cluster to another sequentially upon the conclusion of aation on each cluster.

Nevertheless, in following this procedure we shall, of course, maintain the desirable degree of flexibility. Whenever the Chair is in a position to give a precise indication of the days on which any particular cluster will be taken up, it will advise the Committee accordingly.

The procedure during the decision-taking stage on each individual cluster will be that delegations will first have the opportunity to make any introduction, or statements other than in explanation of vote, which they regard as necessary with respect to the draft resolutions listed in the cluster.

Subsequently, delegations wishing to explain their positions or votes on any or 011 of the draft resolutions in a particular cluster before a decision is taken will be able to do 60. Then, after the Committee has taken a

(The Chairman)

decision on the draft resolutions contained in a given cluster, delegations will be able to explain their positions or votes after the decision is taken, if they wish to do so.

In order that the Committee's work may proceed in a systematic and efficient manner, delegation6 are urged to make, in so far a6 possible, one statement on the draft resolutions in a given cluster, whether in explanation of position or vote,

May I take it that the Committee is in agreement with the programme of work and the procedures that I have just outlined7

If I hear no objection, I shall take it that the Committee approves the suggested program6 and the procedure that I have outlined,

It was so decided.

The meeting rose at 4.05 p.m.