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AGENDA ITEMS 29, 104, 30 AND 31

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(a) Implementation of the results of the Conference: report of the Secretary-General (A/7677 and Corr.1 and Add.1 and 2);

(b) Establishment, within the framework of the International Atomic Energy Agency, of an international service for nuclear explosions for peaceful purposes under appropriate international control: report of the Secretary-General (A/7678 and Add.1-3);

(c) Contributions of nuclear technology to the economic and scientific advancement of the developing countries: report of the Secretary-General (A/7568 and A/7743)

GENERAL DEBATE (continued)

1. Mr. ARAUJO CASTRO (Brazil): I wish to present in comprehensive form the position of the Brazilian delegation with regard to the draft treaty on the prohibition of the emplacement of nuclear weapons and other weapons of mass destruction on the sea-bed and ocean floor, as contained in annex A of the report of the Conference of the Committee on Disarmament [A/7741-DC/232].¹ As the Committee will recall, in my intervention of 18 November [1642nd meeting] I limited myself to some very preliminary remarks on the draft treaty since the Sea-Bed Committee, of which Brazil is a member, was still engaged in active consideration of the matter, in accordance with operative paragraph 3 of resolution 2467 A (XXIII).

2. Since then the Sea-Bed Committee has submitted an addendum to its report to the General Assembly. This addendum points out that "the Committee had a preliminary exchange of views on the subject under discussion" [A/7622/Add.1, para. 4]; that "the Committee's consideration of the question was of a limited and preliminary character" [ibid., para. 9]; and that "the views expressed do not reflect the considered opinion of the Committee as a whole" [ibid.]. In view of the fact that the debate was so limited, it was only natural, as pointed out in the report, for the Committee to express the hope that, owing to "the importance and complexity of the matter, the implications of the draft treaty relevant to the Committee's mandate would be considered in greater depth by the Committee at its next substantive session" [ibid., para. 8], which will take place in March 1970. In its consideration of the draft treaty, the First Committee should bear in mind two important facts: first, that the responsibility for this proposal, which did not receive the endorsement of the Conference of the Committee on Disarmament, rests entirely upon the Co-Chairmen, and

¹ Official Records of the Disarmament Commission, Supplement for 1969, document DC/232.

secondly, that the Sea-Bed Committee, because of insufficient time, was unable to come to a decision on the draft.

3. The fact that the two United Nations organs with specific competence on the matter did not feel it proper to support or endorse the draft treaty should warn us here in the First Committee of the outstanding difficulties and unsettled controversies that have still not been dealt with in the Soviet-American draft and of the need to avoid taking a precipitate decision on a document of such relevance to international peace and security, a document containing clauses and provisions affecting the legitimate interests of nations big and small.

4. In corroboration of my assertion as to the need for adequate time to consider the treaty, I should like to refer to the statement made by the representative of Malta, Ambassador Pardo, at the twelfth meeting of the Sea-Bed Committee on 11 November 1969. In the summary record of the meeting, the relevant part of his statement is given as follows:

“... the specific danger to which the treaty addressed itself was somewhat remote, since a cost-strategic benefit analysis would reveal that mobile nuclear systems were superior to fixed systems in the ocean and it was probable that States with the technical capability of conducting a nuclear arms race would prefer the former.”²

Let us not use the lofty aspiration of peace and security as an excuse to rush, without full and detailed examination, through a document containing some clauses that appear to violate international law and to be detrimental to the legitimate interests of all States.

5. At this point I wish to state the support of the Brazilian Government for a treaty which bans nuclear and other weapons of mass destruction from the sea-bed and ocean floor as a modest first step towards the reservation of the area exclusively for peaceful purposes, in keeping with the wishes of the General Assembly and the fact that this area constitutes a common heritage of mankind.

6. The difficulties of the draft treaty do not arise from the concept that led to it, but from some very specific points that have nothing to do with that concept and could be solved without impairing its main purpose; rather, that purpose would be strengthened. On the other hand, a treaty banning nuclear weapons and other weapons of mass destruction from the sea-bed is very far from ensuring the utilization of the area for exclusively peaceful purposes. Unfortunately, the draft treaty does not include any specific undertaking on negotiations aimed at a more comprehensive prohibition of the use of the area for military purposes, as envisaged in the proposal presented by Sweden in the Conference of the Committee on Disarmament [*ibid.*, annex C, sect. 36]. Instead of making concrete commitments, which would accord with the wishes of the international community, the draft limits itself to an expression of vague wishes that are made still more vague by their inclusion in the preambular paragraphs.

7. Our reservations on the substance of the draft treaty arise from its relationship to the future international régime

for the sea-bed and ocean floor now being elaborated by the appropriate United Nations organ, and to the régime of the continental shelf as incorporated by customary international law and by the 1958 Geneva Convention on the Continental Shelf.³ Therefore they do not refer directly to the disarmament contents of the document before us, but rather to its place within the framework of international law. I wish to deal first of all with the relationship of the draft treaty to the future international régime for the sea-bed and ocean floor and the subsoil thereof beyond national jurisdiction.

8. In this respect a consideration of paramount importance in paragraph 7 of the addendum to the report of the Sea-Bed Committee [*A/7622/Add.1*], to the effect that the draft treaty “could not in any way prejudice the legal régime to be established for the sea-bed and ocean floor beyond national jurisdiction”. Paragraph 5 of the same document also calls attention to the work of the Sea-Bed Committee on the formulation of an international régime for the area and, in particular, to the concept, which is accepted by many States, of the sea-bed and ocean floor beyond national jurisdiction being “a common heritage of mankind and consequently being reserved exclusively for peaceful purposes, as well as to the concept of the use of this area for the benefit of all mankind, taking into account the special needs of developing countries, and to other elements which would be incorporated in an international régime to apply to the area”.

9. In its intervention in this Committee on 7 November [*1680th meeting*] the Swedish delegation referred to some interesting aspects of the relationship between the draft treaty and the future international régime for the sea-bed and ocean floor. In view of the implications for the draft treaty of the exploration and exploitation of the resources of the sea-bed and ocean floor, my delegation welcomed the inclusion in the draft of a provision relating to a review conference to be convened five years after the entry into force of the treaty in order to adapt it to the technological progress and legal developments which will have taken place in this field by then.

10. I now come to the more serious questions arising from the relationship between the draft treaty and the régime of the continental shelf. In the Conference of the Committee on Disarmament, in the Sea-Bed Committee, and in this Committee, several delegations have already examined the flagrant inadequacies of article III of the draft treaty. I do not therefore need to go into them in detail and I shall limit myself to outlining the reservations of the Brazilian delegation on this provision.

11. The draft treaty purports to apply not only to the sea-bed beyond national jurisdiction, which has frequently been described as a legal vacuum, but also to the continental shelf, an area which has for several years been the object of regulation by customary international law and by the Geneva Convention on the Continental Shelf. International law has recognized that coastal States exercise sovereign and exclusive rights over the continental shelf, “in the sense that if the coastal State does not explore the

² See document A/AC.138/SR.12.

³ Signed at Geneva on 29 April 1958 (see United Nations, *Treaty Series*, vol. 499 (1964), No. 7302).

continental shelf or exploit its natural resources, no one may undertake these activities, or make a claim to the continental shelf, without the express consent of the coastal State”, to quote article 2, paragraph 2, of the Geneva Convention. In further recognition of these rights, article 5, paragraph 8, makes scientific research on the shelf conditional upon the consent of the coastal State and, as a result, recognizes that the coastal State has the right “if it so desires, to participate or to be represented in the research”.

12. These rights have been completely ignored by article III of the draft treaty, which does not even refer to the continental shelf, although proper respect and deference are shown to the freedom of the high seas, as if the régime of the high seas in itself exhausted the contents of the legal framework for activities in the area covered by the Co-Chairmen’s proposal. But the draft treaty goes far beyond ignoring the coastal State’s right on the continental shelf—in fact, it amounts to a serious impairment of those rights—and even tries to prejudge the nature of those rights in the same not very subtle way it attempts to prejudge the separate question of the limits of the territorial sea.

13. I have pointed out that the régime of the continental shelf is the historical result of State practice which the 1958 Geneva Convention tried to codify without complete success, as proved by the fact that only 40 States have ratified it so far. The scope of the rights enjoyed by States on the continental shelf is precisely one of the points on which State practice and the Geneva Convention do not coincide, the Convention being clearly restrictive inasmuch as it refers to sovereign rights for the purpose of exploring the shelf and exploiting its natural resources. By failing to mention the régime of the continental shelf and, furthermore, by failing to recognize any rights of the coastal State regarding verification procedures, the draft treaty gravely impairs these rights and prejudices the substance of a question—namely, the scope of such rights—which should be tackled, like the problems of the limits of the territorial sea, by an international conference on the law of the sea.

14. If, in accordance with international law, the coastal State exercises rights on the continental shelf, it follows from this that the participation of representatives of the coastal State is indispensable to the carrying out of verification procedures on the shelf. For the same reason article 5, paragraph 8, of the Geneva Convention allows the participation of a representative of the coastal State in scientific research conducted on the continental shelf. *A fortiori*, the participation of representatives of the coastal State should also be required in the case of verification procedures, inasmuch as these are activities directly related to the security of the coastal State.

15. In the Conference of the Committee on Disarmament the delegation of Brazil suggested that a provision should be incorporated in the draft with a view to enabling the coastal State to participate effectively in control operations which take place on its continental shelf [A/7741-DC/232, annex C, sect. 32]. Since then several representatives in the Conference of the Committee on Disarmament, the Sea-Bed Committee and in this Committee have expressed their reservations concerning article III of the draft treaty. I reiterate here today the hope I expressed in my inter-

vention of 18 November [1692nd meeting], that a real negotiating process will develop in this Committee and that the rights enjoyed by States in accordance with international law will not be sacrificed on the altar of big Power agreement.

16. Finally, I wish to point out that we share the reservations expressed here by several delegations in connexion with the linking of the limits of the zone exempted from the treaty prohibition with the limits of the maximum contiguous zone provided for in the 1958 Geneva Convention on the Territorial Sea and the Contiguous Zone.⁴ Ambassadors Benites of Ecuador [1696th meeting] and Ruda of Argentina [1695th meeting] have already explained to us that the concept of the contiguous zone is a concept of surface, which recognizes some rights of the coastal State in relation to the prevention and the punishment of violations of its laws and customs, fiscal, immigration or health regulations, committed on its territory or in its territorial sea. Giving that concept a depth dimension does not make any legal sense at all, inasmuch as the delimitation of the zone may be stated without reference to the boundaries of other zones. We share fully the view expressed by the representative of Argentina when he pointed out, on 20 November:

“It is therefore obvious that a complicated transposition of the Geneva Convention for the purpose of those articles raises considerably more problems than it is meant to solve; this reference should therefore be replaced by a wording which would not lead to such ambiguous interpretations. Otherwise, we shall be obliged to conclude that the reference to the Geneva Convention has only one purpose—to prejudge the breadth of the territorial sea.” [1695th meeting, paras. 26 and 27.]

17. Those were the points we felt bound to put forward with regard to the USSR-United States draft treaty. As we have said before, we are ready to talk, to discuss and to negotiate; and we have not given up hope that a real process of genuine negotiations will still develop in spite of the lateness of the hour. We have concrete proposals to submit to the First Committee on this matter. It is our earnest opinion that the sovereign nations sitting in this Committee have a right to negotiate and not merely the “right of petition” through the presentation of claims and grievances to the Co-Chairmen of the Conference of the Committee on Disarmament.

18. Mr. AKWEI (Ghana): We are once again engaged in a discussion in this Committee on the crucial subject of disarmament, general and complete disarmament, but by now it must be obvious to all that what we have been doing for so long is really discussing measures of armaments limitation or control. Whatever disarmament measures have been discussed have virtually been only measures of partial disarmament which have led actually to little or no disarmament. Painful and unfortunate as that revelation may be, I believe there is no one who thinks sincerely that general and complete disarmament will be achieved today, tomorrow or the day after tomorrow. It will, regrettably, remain a dream for one generation—and perhaps for more than one generation.

⁴ Signed at Geneva on 29 April 1958 (see United Nations, *Treaty Series*, vol. 516 (1964), No. 7477).

19. We are therefore doomed to approach the subject in a piecemeal or *ad hoc* fashion. But to do this in a haphazard and unregulated manner may be not only dangerous, because of the deception that partial piecemeal achievements will arouse in our minds, but also self-limiting and self-defeating, because the goal we seek may be permanently elusive. That is why my delegation remains convinced that unless and until we have a real master strategy for general and complete disarmament seen from an over-all point of view, reflecting the universal will and purpose of mankind, spread over an identifiable period of time and involving commitments by all concerned—both nuclear and non-nuclear-weapon Powers—over nuclear and conventional weapons, we shall be indulging all our lives in organized deception for which the people of the world will never forgive our generation.

20. It is because of this conviction that we welcome the proposal of our Secretary-General that the period of the next decade be designated a "Disarmament Decade" similar to and coincident with the Second United Nations Development Decade.⁵ For that disarmament decade a strategy for disarmament must be worked out on the basis of as much universal participation as possible and on the most technical basis achievable. That is why, in our view, the most logical corollary to the concept of a disarmament decade and a disarmament strategy is the reconvening of the Disarmament Commission, which would have the task of fashioning this disarmament strategy. Last year the General Assembly adopted resolution 2456 A (XXIII) which, *inter alia*, requested that consideration should be given to the desirability of convening the Disarmament Commission early in 1970. In our view, this idea is of paramount importance to all our efforts in the disarmament field but, strangely enough, it has not been given serious consideration at this session. It is in the light of the decisions to be taken by the Disarmament Commission that the role, function and nature of the Conference of the Committee on Disarmament should be determined.

21. In our view, the present Conference of the Committee on Disarmament—a strange and somewhat misleading name, anyway—is not what it was intended to be. That body was intended to be negotiating machinery. It is nothing of the sort. It is more consultative than negotiating machinery. Indeed, with the possible exception of the two super-Powers, it is difficult to see what the other members can negotiate about. One can only negotiate on a give-and-take basis; when you have nothing to give or take, there is little basis for negotiation. That is the reason why the Conference of the Committee on Disarmament merely discusses matters on which, by and large, the Co-Chairmen have agreed in advance. That is why the report of that Committee is largely a report written by the Co-Chairmen in a manner which suits them, as has been pointed out in the pertinent remarks of the representatives of Mexico and Ecuador. That is why the new members of the Committee are chosen at will by the Co-Chairmen, despite the over-all responsibility of the General Assembly in this matter. My delegation has been impressed by and agrees with the many statements and expressions of reservation, disappointment and dissatisfaction that have been made by several dele-

gations on the methods employed by the Co-Chairmen to enlarge the Conference of the Committee on Disarmament and to change its name arbitrarily. In saying this, we would hasten to explain that we have nothing but admiration and respect both for the old members of that body and for those who have recently joined; nor do we question their competence and valuable contribution to the deliberations of that Conference.

22. What we do say is that the time has come to examine the role and nature of that body and to see whether its function would not properly be that of a consultative or deliberative body. If that is so, then the selection of its members should be based on the traditional and time-honoured methods that have always been followed by the United Nations and its bodies in selecting members on a regional basis, having in mind equitable geographical distribution and other criteria.

23. In setting up a body under the Disarmament Commission which would plan the proposed disarmament strategy, we are of the view that not only nuclear but also conventional armaments should be considered simultaneously. The representative of the United States, for whom we have the greatest respect, has reminded us [1691st meeting] that the wars being fought round the world today are being fought with conventional weapons and that those weapons are a strain on the budgets of many developing countries. One could add that it is often the developed great Powers that make and sell those arms to the poor countries, thereby enriching their own budgets at the expense of the latter. Therefore unless there is an all-round attack not just on nuclear armaments but also on conventional ones and on the manufacture and sale of those arms, particularly conventional armaments, everybody will sooner or later get into this unprofitable and dangerous arms enterprise.

24. Since however we are asked to be realists by the "have" nations, I wish to pay a well-deserved compliment to the Geneva Conference of the Committee on Disarmament on the reports it has submitted for our consideration. Before giving detailed views on those reports, I should also like to congratulate the United States and the Soviet Union for starting, at long last, the strategic arms limitation talks at Helsinki. In our view these talks are a direct consequence of, and a corollary to, article VI of the Treaty on the Non-Proliferation of Nuclear Weapons, and should have started long ago. There is no question but that these talks are of the utmost consequence to the survival and welfare of mankind and we trust that both sides will endeavour to make them fruitful. We should like to support those delegations that have urged on the two Powers concerned some measure of voluntary self-denial in the development, manufacture and stockpiling of ABMs and MIRVs while the talks are going on. There is no sense in increasing an already excessive over-all capacity. A man can die only once, not twice or thrice over.

25. The next area of practical negotiation where agreement is possible is in relation to underground nuclear tests. Since the Treaty Banning Nuclear Tests in the Atmosphere, in Outer Space and under Water was adopted in 1963, developments in science and technology have made it possible to detect underground explosions down to a low

⁵ *Official Records of the General Assembly, Twenty-fourth Session, Supplement No. 1A*, paras. 42-46.

yield, we are told, of 20 to 60 kilotons, to such an extent as largely to circumvent the need for general on-site inspections, the greatest stumbling block to the achievement of a comprehensive test ban treaty. We are grateful to the delegations of Sweden and Canada for presenting proposals at the Geneva Conference by which the problem of on-site inspections can be surmounted to a large extent and we have been impressed by the expression by both the United States and the Soviet Union during the course of this debate of willingness to consider any reasonable system of seismic data exchange which will advance us further on this road.

26. For those reasons my delegation is honoured to be a co-sponsor of draft resolution A/C.1/L.485 and Add.1-3, which was introduced by Canada a few days ago [1692nd meeting]. We consider, however, that the evaluation of such seismic data should be the responsibility of a suitable international body, so that no one would have any suspicion that one State was cheating another. That would be the best way of solving the difficult problem of verification.

27. On the question of chemical and bacteriological warfare the British and Soviet delegations are to be congratulated for producing draft conventions in this field for our consideration. It is of course necessary to state that the basic action for all States to take now is first to ratify the 1925 Geneva Protocol⁶ without any reservations. We have never understood why this simple action could not be taken by any State which was opposed to this type of horrible warfare and mass slaughter. While we see in the British text [A/7741-DC/232,⁷ annex C, section 20] a desire for a more pragmatic and gradual approach to the problem, we consider that its scope is too limited to satisfy present-day needs, for it does not address itself to chemical warfare. The argument of the British delegation justifying the exclusion of chemical warfare from its present draft is not convincing. It is the application again of the old logic of having disarmament only in the relatively new field of biological weapons and little or no arms control in the relatively developed field of chemical weapons. Since chemical weapons are battlefield weapons these, and not biological weapons, are the weapons which would be more likely to be used readily in the event of modern warfare. The need to eliminate them is therefore as great as if not greater than the need to eliminate biological weapons. In our view the traditional practice of combining the problems of chemical and bacteriological weapons, so characteristic both of the 1925 Geneva Protocol and of the Secretary-General's report,⁸ should be maintained. It is in that connexion that the East European text [A/7655] has some advantages over the British text because it deals with the prohibition, development and stockpiling of both chemical and biological weapons. However, this draft also suffers from some gaps, especially in the field of verification and control, an area where it could well benefit from the

relevant provisions of the British draft. My delegation would therefore support those who have proposed that both drafts should be submitted to the Geneva Conference to be used as the basis for an eventual compromise draft which could then be presented to the twenty-fifth session of the General Assembly.

28. I should now like to discuss the draft treaty on the demilitarization of the sea-bed and the ocean floor and the subsoil thereof [A/7741-DC/232, annex A]. The draft treaty on that subject is undoubtedly the most interesting document to come out of the Conference. For those who have followed the deliberations of the Sea-Bed Committee it must come as a disappointment that the draft treaty is limited to the banning of nuclear weapons and weapons of mass destruction from the area under consideration. The will of the General Assembly expressed in resolution 2467 A (XXIII) is that the sea-bed and ocean floor is the common heritage of mankind and should be used, explored or exploited exclusively for peaceful purposes and for the benefit of all mankind. As usual, however, the draft treaty has gone only half-way towards demilitarization, making it possible for conventional weapons of all kinds to be implanted on the sea-bed and ocean floor and the subsoil thereof. Considering the disappointing experience we have had concerning disarmament negotiations arising out of the non-proliferation Treaty, my delegation will not be in a position to consider the present draft treaty until a specific additional paragraph, as proposed by the Swedish delegation [ibid., annex C, section 36] is included in an eventual draft which will clearly impose—particularly on the super-Powers—the obligation to further negotiate a comprehensive demilitarization of the sea-bed and ocean floor in the near future.

29. We share the misgivings that have been expressed by several delegations concerning the problem of article III of the draft treaty. Our first concern is with the "verification by observation procedure". This procedure, in the absence of a recognized international supervisory machinery, cannot be reassuring. It is neither "full"-proof nor "fool"-proof and the zone under consideration might well become full of the prowling activities of the nuclear Powers just beyond the 12-mile limit, each operating with its own instruments or with the assistance of other States friendly to them. Recourse to the Security Council is provided for in case of doubt, but the Council is again subject to the veto of those same nuclear Powers. Therefore what is held out to be a final resolution of doubts may actually be the perpetuating of those doubts. In this case my delegation would venture to ask if IAEA could not somehow be brought into the verification procedure in the same way as it was given certain supervisory functions in the non-proliferation Treaty.

30. Unless such precautions are taken the present procedures of article III may create potential insecurity to coastal States stemming from the legitimate exercise of "observing" rights, for example, by a country just beyond the territorial limit of an ideologically different and small coastal country. We consider that the misgivings stated by the representatives of Canada, Brazil and Nigeria are well-founded and we feel that an additional paragraph may be necessary to grant a coastal State the contiguous zone of which has just been exposed to such threatening observa-

⁶ Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June 1925.

⁷ *Official Records of the Disarmament Commission, Supplement for 1969*, document DC/232.

⁸ *Chemical and Bacteriological (Biological) Weapons and the Effects of their Possible Use* (United Nations publication, Sales No.: E.69.I.24).

tions by a State party to the Treaty the opportunity of participating in such observations—whether or not it is a signatory to the Treaty—or, if it cannot participate itself for technical reasons, it should have the right to appoint another State to do so on its behalf.

31. Further, such verification by observing procedures could well affect the peaceful exploration and/or exploitation of its own continental shelf by a coastal State. In that connexion I would support Lord Chalfont's proposal that an appropriate clause should be inserted in article III recognizing the rights of coastal States over their continental shelves. Moreover, if a State claims more than 12 miles of coastal territorial limit and is not a party to the Treaty, what happens then? Indeed the whole area covered by the draft treaty, as indicated in articles I and II, is somewhat confusing and my delegation would appreciate some elucidation at a certain stage in this debate.

32. I shall now discuss the documents relating to the implementation of the results of the Conference of the Non-Nuclear-Weapon States.⁹ It is obvious that the report of the Secretary-General [*A/7677 and Corr.1 and Add.1 and 2*] indicates that more remains to be done in implementing the results of the Conference. We still hold the view that the establishment within IAEA of an international service for peaceful nuclear explosions relates solely to resolution 2456 (XXIII) and should in no way be confused with the international body referred to in article V of the non-proliferation Treaty. We agree with the Italian and Brazilian delegations that the international body referred to in article V of the non-proliferation Treaty still has to be chosen by the States parties to that Treaty after the entering into force of the Treaty. We are aware of the anxiety of some Powers that IAEA should be the international body mentioned in article V of the non-proliferation Treaty, but as long as IAEA remains in its present constitutional stricture, particularly with regard to the composition of its Board of Governors, we are not yet in a position to make that choice. We have taken note of the efforts of IAEA to reform itself and improve its composition particularly with a view to ensuring more adequate African representation on its Board, but we shall have to await the final results of this internal reform before committing ourselves.

33. In fact, even if the composition of the Board were improved, there would still be other questions to be settled regarding the capacity of IAEA to promote the peaceful application of the atom as well as the conditions on which this can be arranged before States parties to the non-proliferation Treaty could be called upon to make a choice regarding the "international body" mentioned in article V of the treaty.

34. Regarding the establishment of a proposed international service within IAEA for peaceful nuclear explosions, my delegation would like to express its support for the idea. We believe, however, that no condition can legally be imposed on the categories of recipients of assistance from this service beyond that of membership of IAEA. Any attempt to divide non-nuclear-weapon Powers between

those that are parties to the non-proliferation Treaty and those that are not and to make this division a condition for entitlement to the benefits of this service can only cause grave difficulties, not only to IAEA but also to the very purposes of the non-proliferation Treaty. Non-nuclear-weapon States not parties to the Treaty, but members of IAEA should not be blackmailed, as it were, into signing an international agreement on which they have genuine reservations. We also believe that whatever assistance is made available by the service should cover the whole range of research, development and actual application of nuclear energy and should be provided at minimum cost.

35. Finally, a study of document A/7568 shows clearly the great promise that nuclear technology holds for the economic and scientific advancement of developing countries. The rapid advances made since 1957 in the application of nuclear technology in the fields of agriculture, medicine and industry, described in the report, are an encouraging revelation. Upon closer examination of the report, however, it becomes evident that the bulk of the benefits enumerated in the report accrue to the few technologically advanced countries and very little benefit, if any, accrues to the developing countries. We seem to be faced with the same alarming development in this field as is already apparent in the general field of economic development: that the poor are becoming poorer and the rich richer. We must therefore take urgent measures to narrow the widening gap. It is for this reason that my delegation welcomes the report of the group of experts as a first step towards the establishment of a broad-based strategy for the economic and scientific development of the poorer countries on the basis of a fairly equitable utilization of the immense potential of nuclear technology.

36. The report states that the utilization of nuclear technology by developing countries would require considerable funds, and in this connexion my delegation would like to endorse the suggestions made by the group of experts with regard to possibilities of financing, particularly the appeal made to international sources of finance, especially IBRD to adopt a flexible approach to

"... criteria and conditions for financing major nuclear installations, bearing in mind not only the immediate benefits from initial projects, but also the long-term contributions that such projects could make to developing countries." [*A/7568, para. 262.*]

37. In concluding, I cannot fail to add my voice to those of others who have already stressed in this Committee the absolute necessity for the Geneva Conference to organize its work in such a way that not only delegations but also the Governments of those delegations receive documents on disarmament in sufficient time to enable them to give this important subject the serious consideration it deserves. It is impossible to envisage this session of the Assembly declaring itself definitively on many of the documents that have reached us, particularly the important draft treaty on the demilitarization of the sea-bed, and my delegation hopes that the Co-Chairmen will give serious thought to this sentiment, which I have found to be fairly widely felt.

38. Mr. LAUREL (Philippines): I should like to begin by stating that my delegation joins in the universal approba-

⁹ See *Official Records of the General Assembly, Twenty-third Session, Agenda item 96, document A/7277 and Corr.1 and 2.*

tion of the strategic arms limitation talks in progress at Helsinki since 17 November. We are gratified to see that these talks between the United States and the Soviet Union have commenced at long last. Last year we declared candidly that disarmament would come only when the great Powers themselves agreed to disarm and that repeated pleas and exhortations would be of no avail unless they themselves decided to negotiate measures of real disarmament.

39. Extant agreements such as the Antarctic Treaty, the Treaty Banning Nuclear Weapons Tests in the Atmosphere, in Outer Space and under Water, the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies, the Treaty on the Non-Proliferation of Nuclear Weapons and the pending draft treaty prohibiting the emplacement of nuclear weapons and other weapons of mass destruction on the sea-bed [A/7741-DC/232,¹⁰ annex A] are non-militarization or non-armament measures and not disarmament agreements in the true sense of the word. The strategic arms limitation talks now going on at Helsinki constitute in our view the only positive effort that can effectively halt the nuclear arms race and possibly reverse it through effective reduction of nuclear weapons and delivery vehicles.

40. The non-proliferation Treaty has not yet come into force. Out of the 91 nations that have signed it, only 24 have so far ratified it, among them the United Kingdom, the United States and the Soviet Union. The ratification of 19 more nations is still needed before it can become effective. The Helsinki talks now going on have great relevance to that Treaty. Under article VI of the Treaty the nuclear Powers are committed to pursue effective measures aimed at the cessation of the nuclear arms race. The Helsinki talks indicate a *bona fide* attempt by the super-Powers to comply with their obligations under the Treaty. If positive measures result from the strategic arms limitation talks, the required ratifications by the non-nuclear-weapon States may be expected forthwith, and this in turn may bring about the immediate efficacy of the non-proliferation Treaty.

41. The Secretary-General, in the introduction to his annual report on the work of the United Nations, referred to the bilateral talks between the United States of America and the Union of Soviet Socialist Republics and appealed to the parties to stop all further work on the development of new offensive and defensive strategic systems, "whether by agreement or by a unilateral moratorium declared by both sides".¹¹

42. My delegation wholeheartedly supports the Secretary-General in his appeal. The 12-Power draft resolution [A/C.1/L.490] submitted yesterday is a step in the right direction, for unquestionably a moratorium on the development and deployment of new nuclear-weapon systems would go a long way towards maintaining the atmosphere of trust and confidence which is so essential in such negotiations.

43. My delegation is therefore pleased to note the pledge made only two days ago by President Nixon to the effect that the United States will never engage in germ warfare. We welcome the unilateral action on the part of the United States to destroy its existing bacteriological weapons. We also welcome the call by the Soviet Union for a comprehensive international pact barring production of chemical and bacteriological weapons. These initiatives augur well for the Helsinki talks and we reiterate our policy of lending full support to any initiatives aimed at ending the development, production and stockpiling of chemical and bacteriological (biological) weapons.

44. One achievement of the Conference of the Committee on Disarmament resulting from its deliberations during the period from 18 March to 30 October 1969 is the draft treaty on the prohibition of the emplacement of nuclear weapons and other weapons of mass destruction on the sea-bed and the ocean floor and the subsoil thereof. The draft treaty was submitted jointly to the Committee by the United States and the Soviet Union on 7 October 1969. The Committee concluded this year's session on 30 October last and its report to the twenty-fourth session of the General Assembly was made available to Member States only on 3 November. Since the work of our Committee is scheduled to be concluded by 12 December, we have very little time left to study the draft treaty. I believe that we should be given more time to study it thoroughly.

45. The Sea-Bed Committee, which has been given a specific mandate by the General Assembly concerning the peaceful uses of the sea-bed and ocean floor beyond the limits of national jurisdiction, requested the holding of additional meetings to consider the draft treaty. After five meetings the Committee, "in view of the importance and complexity of the matter", expressed the hope in addendum I to its report that the draft treaty would be considered in greater depth at its next session [A/7622/Add.1, para. 8].

46. Comments and observations have been made here during the general debate concerning the area of application under article I and the question of inspection under article III of the draft treaty. Concerning the area of application under article I, reference was made to the maximum contiguous zone provided for in the 1958 Geneva Convention on the Territorial Sea and the Contiguous Zone.

47. We concur with the statement made by Ambassador Benites of Ecuador at our 1696th meeting. We also regard such reference to the maximum contiguous zone as

"a surreptitious attempt to set a limit to the territorial waters of other States . . . Obviously a State's jurisdiction extends over the surface area of the territorial sea, the sea-bed, the subsoil thereof, the water between the surface and the sea-bed and the air above it. The limits of this jurisdiction have not been defined in any convention. However, since, according to the Convention on the Territorial Sea and the Contiguous Zone, signed at Geneva in 1958, the contiguous zone has a maximum breadth of 12 miles measured from the baseline of the territorial sea, it could be interpreted as meaning that the contiguous zone—which is part of the high seas—automatically limits the territorial sea to a breadth of 12 miles.

¹⁰ Official Records of the Disarmament Commission, Supplement for 1969, document DC/232.

¹¹ Official Records of the General Assembly, Twenty-fourth Session, Supplement No. 1A, para. 30.

“The reference to the Geneva Convention, which has been ratified by very few States, seems intended to give its provisions binding force or *jus cogens* which will make it possible to invoke the Convention against third States which are not parties to it.” [1696th meeting, paras. 46 and 47.]

48. The Philippines has not signed any of the conventions concluded during the Conferences of the Law of the Sea at Geneva in 1958 and 1960.

49. Article I of the draft treaty would proscribe the emplacement of nuclear weapons and other weapons of mass destruction beyond the 12-mile limit of the territorial seas of Member States; but the territorial waters of the Philippines, as delimited under existing treaties and conventions, are not limited to 12 miles. Their breadth has been established with varying distances from their base lines, ranging from a maximum of 289 miles to a minimum of 22 miles.

50. This is significant in view of article II of the draft treaty, paragraph 2 of which provides:

“Nothing in this Treaty shall be interpreted as supporting or prejudicing the position of any State Party with respect to rights or claims which such State Party may assert, or with respect to recognition or non-recognition of rights or claims asserted by any other State related to waters off its coasts, or to the sea-bed and the ocean floor.”

51. We maintain that the scope and extent of the historic territorial waters of the Philippines should not be affected by the draft treaty. Ours is an archipelago of more than 7,000 islands, and the international recognition of the unique position of territorial waters of archipelagos is therefore very important to us. We are studying very carefully the impact of articles I and II of the draft treaty upon our territorial waters. Consequently, while we agree in principle to the non-emplacement of nuclear weapons on the sea-bed and on the ocean floor as well as on the subsoil thereof, we are not disposed to accept any diminution of our territorial jurisdiction, whether directly or by implication, under any international instrument. As we have previously stated before this Committee, we shall maintain and continue to maintain our claim of national jurisdiction over our territorial waters, as clearly delineated in the records of the United Nations.

52. Comments have also been heard concerning the rights of coastal States over their continental shelves relative to the question of inspection of possible violations under article III of the draft treaty. The rights of coastal States to their continental shelves should not be prejudiced by such inspection on the waters off their coasts. In the view of my delegation, this right should be properly safeguarded by a specific provision in the draft treaty.

53. We therefore move that the draft treaty should be the subject of further consideration by Member States. Considering the time we have left, and in order to afford Member States adequate time to study its various ramifications, it would be best to consider the matter anew at the next regular session.

54. Under subitem (c) of the disarmament item “Conference of Non-Nuclear-Weapon States”, there are three reports of the Secretary-General before our Committee. The first concerns the implementation of the results of the Conference [A/7677 and Corr.1 and Add.1 and 2]. The second refers to the establishment, within the framework of the International Atomic Energy Agency, of an international service for nuclear explosions for peaceful purposes under appropriate international control [A/7678 and Add.1-3]. The third covers contributions of nuclear technology to the economic and scientific advancement of the developing countries [A/7568]; there is also a note by the Secretary-General [A/7743]. My delegation would like to thank the Secretary-General for these reports which will provide valuable guidelines when we consider the implementation of the results of the Conference of Non-Nuclear-Weapon States.

55. The report on the contributions of nuclear technology to the economic and scientific advancement of the developing countries provides information which could be useful to the economic and social planning of those countries. To our mind the important portions of the report refer to such subjects as nuclear power, desalination, radio isotopes and ionizing radiation and, particularly, international co-operation for the promotion of peaceful nuclear technology.

56. The Acting Chairman of the National Science and Development Board at Manila has made the following observation in this connexion:

“Over the past decade, the Philippine Government, through its Philippine Atomic Energy Commission, has initiated and continuously pursued a programme of introducing, utilizing and planning for more application of the peaceful uses of atomic energy. Only national capabilities have, as in other developing countries, limited the actual growth in nuclear technology in the country.

“National activities have to start with the low cost applications of nuclear technology, simultaneously with the training of technicians and skilled workers.

“Studies on and planning for the more sophisticated nuclear facilities, including nuclear power, have been undertaken. The country looks forward not only to the economic benefits to be derived from the introduction of nuclear plants in the power system of the country, but very much also to the indirect industrial and scientific benefits that may result from large scale introduction of nuclear technology. The view that considerable and expanding support will be necessary to foster major nuclear projects is shared. Particularly in the case of financing, it is hoped that this aspect will be given careful and thorough study by international sources of finance.

“From its own experience, the Philippines believes that spreading the peaceful uses of atomic energy must continue to be a concerted international effort. It considers with satisfaction the role of the IAEA and other United Nations bodies that co-ordinate with it have been carrying on. But at the same time, concern should be expressed at the lack of steady increase in resources available for carrying out the transfer of nuclear technology to developing countries.”

57. As may be seen from document A/7677/Add.1, one of two projects successfully completed under the United Nations Development Programme Special Fund component, in efforts to assist the developing countries to use nuclear technology to further their own development, is that of a three-year pre-investment study of the extent of the market for electric power, including nuclear power in Luzon, the largest island of the Philippine archipelago. In that study it was determined that nuclear plants of a certain size could be economical and the recommendation was made that the Government should begin using nuclear plants and thus develop its capacity to utilize nuclear power together with conventional types of energy. We are deeply appreciative of the assistance rendered both by UNDP and by IAEA in bringing this study to a successful conclusion. The problem that now faces our Government is how to finance the implementation of this study.

58. On this problem my delegation shares the view of Ambassador Araujo Castro of Brazil, expressed before this Committee at the 1692nd meeting, that the General Assembly should endorse the recommendation made in paragraph 262 of document A/7568, in which the group of experts "expresses the hope that international sources of finance, especially IBRD, will review the positions taken so far on the prospects, criteria and conditions for financing major nuclear installations, bearing in mind not only the immediate benefits from initial projects, but also the long-term contributions that such projects could make to developing countries". We are glad to note that in resolution GC (XIII)/RES/256 adopted by the thirteenth General Conference of IAEA on 29 September 1969 on the financing of nuclear projects, the Director-General of the Agency was requested to make a comprehensive study of the likely capital and foreign exchange requirements for nuclear projects in developing countries during the next decade, and of ways and means to secure financing for such projects from international and other sources on favourable terms, particularly in the form of grants or long-term loans at low interest, and to make suggestions concerning a constructive role which the Agency could play in that regard. Under the same resolution the Board of Governors was requested to review the progress of this study and to report thereon to the General Conference at its fourteenth regular session.

59. It is the hope of my delegation that international co-operation for promoting peaceful nuclear technology will gain greater momentum in order to meet the dire and urgent needs of developing countries.

60. In connexion with the establishment within the framework of IAEA of an international service for nuclear explosions for peaceful purposes under appropriate international control, the Philippines, like many other Member States that submitted replies to the Secretary-General on the subject, believes that IAEA is technically competent and fully empowered to perform the functions called for by article V of the Treaty on the Non-Proliferation of Nuclear Weapons. The position taken by the Philippines on this subject is given in more detail in document A/7678/Add.1.

61. With the reports of the Secretary-General now before us concerning the Conference of Non-Nuclear-Weapon States, our Committee should be in a position to determine

what further steps should be taken to implement the results of the Conference.

62. My delegation reserves the right to speak again at a later date on other items which were not touched upon in our intervention today on the question of disarmament.

63. Mr. MWAANGA (Zambia): My delegation would like to state at the very outset that it commends and welcomes the exploratory strategic arms limitation talks now in progress at Helsinki between the two super-Powers, the United States of America and the Union of Soviet Socialist Republics. The two countries have a very formidable task before them and my delegation can only wish them well at this stage of their talks. The success of these talks could very well accelerate other much-needed measures in the field of disarmament.

64. My delegation also welcomes the announcement by President Nixon of the United States on 25 November 1969, that the United States would unilaterally renounce germ warfare and the pledge he made that his country would never be the first to use lethal gases. This abandonment of bacteriological weapons is especially gratifying since this particular concept of warfare is as senseless as it is horrifying. It is particularly reassuring that the President of the United States should make this pledge to destroy the army's entire stockpile of germ missiles at a time when our Committee is engaged in a serious debate to find ways and means of overcoming these important problems. We hope that this move, which is obviously in the right direction, will be followed by similar moves by other Members of the United Nations.

65. When I made my intervention on the disarmament item at the twenty-third session of the General Assembly [1612th meeting], I stressed the point that when Zambia speaks of disarmament it does so as a country in the forefront of one of the most potentially explosive areas of confrontation in international politics. I should like to stress the point again today. Zambia is surrounded by racist minority régimes which continue to build their military arsenals and armed forces with the obvious intention of committing acts of aggression against the independent nations of Africa. In the event of such an act of aggression Zambia would inevitably be the first victim. A number of acts of aggression have been committed against the Republic of Zambia resulting in the senseless destruction of property and innocent human life. These acts against our country continue unabatingly and there is a possibility of their developing into a full-scale major confrontation. We are virtually in a state of undeclared war with our southern neighbours, namely, Rhodesia, Portugal and South Africa. General and complete disarmament is therefore a real issue to us, an issue which we consider paramount for our survival.

66. A matter which is regarded as certainly one of the most important in the subject of disarmament is the Treaty on the Non-Proliferation of Nuclear Weapons, which has so far been signed by about ninety countries and ratified by more than 23 nations. On Monday this week, 24 November, we learned of the ratification of the Treaty by both the United States of America and the USSR. We welcome this news wholeheartedly.

67. Let me, however, restate the position of my Government on this important question. While we agree in principle with the objectives of the non-proliferation Treaty, we still do not consider the Treaty to be sufficiently far-reaching. We recognize that for true universal peace to be achieved it is essential to curb the spread of nuclear weapons and at the same time we feel that not to impose the same restrictions on nuclear nations is an actual contradiction of the very aims of the Treaty. This is why my delegation welcomes wholeheartedly the preliminary strategic arms limitation talks currently being held at Helsinki. If some concrete measures can be agreed upon at these talks towards reducing the nuclear might of nuclear nations, my Government might then be able to reconsider its position with regard to the non-proliferation Treaty as a whole.

68. I made the point only a while ago that my country is surrounded by hostile minority régimes, one of which is the Republic of South Africa, a country that has acquired the necessary know-how to manufacture nuclear weapons. As is well known, South Africa, among many others, has not yet either signed or ratified the non-proliferation Treaty and is very much in the "mad momentum" of the nuclear arms race—as the Secretary-General characterizes the situation in the introduction to his annual report.¹² The reference to South Africa may seem rather far-fetched and perhaps irrelevant to most delegations, but to the independent countries of southern Africa and of Africa as a whole this is a real threat which has to be considered as serious and as vital a problem as that existing today in the Middle East. We are therefore in complete agreement with the views of the Secretary-General when he states that the notion of superiority in the arms race is an illusion since it merely increases competition and will end in real disaster for the whole of mankind. My delegation will therefore support any measures that are designed to reduce the spread of nuclear weapons, provided that the curbs are not only horizontal but vertical as well.

69. The representative of Sweden, Mrs. Myrdal, in her speech on 20 November [1695th meeting], gave us a disquieting account of the effects of radio-active fall-out resulting from nuclear tests. Nothing could be grimmer than imagining what a polluted world this would be and what kind of health we would pass on to future generations. It is slightly heartening to know, however, that most developed nations now have the necessary technological knowledge for monitoring activities which are carried out by way of explosions both on the ground and underground. In this respect my delegation would like to record its appreciation to the Stockholm International Peace Research Institute, which has produced most interesting reports concerning this problem. We welcome wholeheartedly the suggestion made by the representative of Sweden that the time for a comprehensive test-ban treaty is now. Accordingly, we shall give our support to whatever course of action may be taken by this Committee to enhance the formulation of a comprehensive nuclear test-ban treaty.

70. As requested in resolution 2454 A (XXIII) the Secretary-General, with the assistance of very able and worthy

consultant experts, has produced a report on the effects of the possible use of chemical and bacteriological (biological) weapons.¹³ After giving this report our most careful consideration, my delegation feels greatly indebted to the Secretary-General for his foresight in highlighting the danger of the use of chemical and bacteriological weapons in the introduction to his annual report of 1968.¹⁴

71. The memory of the lives of the thousands who perished during the First World War as a result of the use of toxic chemical fumes should never be permitted to escape our minds. A floating gas kills indiscriminately; it kills both enemy and friend; it kills children and those yet unborn. It is, in fact, capable of destroying almost all forms of life of whatever description. This form of death is too dastardly and inhuman to be used in any kind of warfare. The group of consultant experts has pointed out in its report that science and technology have advanced today to the point where they have increased the potency of chemical and bacteriological weapons, and that in the event of the use of such weapons the number of casualties would be phenomenal in comparison with the results of a war fought with conventional weapons. The gravity of the matter is summarized in paragraph 375 of the report:

"Were these weapons ever to be used on a large scale in war, no one could predict how enduring the effects would be, and how they would affect the structure of society and the environment in which we live. This overriding danger would apply as much to the country which initiated the use of these weapons as to the one which had been attacked, regardless of what protective measures it might have taken in parallel with its development of an offensive capability."

72. Although my delegation fully appreciates the fact that the General Assembly could not possibly be expected to take any firm decisions on the subject since the report requires more comprehensive study, I wish to state that my delegation welcomes the proposed draft declaration, formally introduced by the representative of Sweden, regarding the prohibition of the use of chemical and biological methods of warfare [A/C.1/L.489]. We also welcome and appreciate the initiative of the representative of the United Kingdom in presenting the revised draft convention on the prohibition of biological methods of warfare [A/7741-DC/232,¹⁵ annex C, section 20]. We extend the same appreciation to the delegation of the USSR for its draft convention on this same matter. We also welcome the draft declaration presented by 12 other countries on the same subject of curbing the use of chemical and biological methods in warfare [A/C.1/L.487]. Despite the reservation that I have made, namely, that the General Assembly could not be expected to take a firm decision on the matter at this session, my delegation is hopeful that some positive action will be taken on this complex issue of chemical and bacteriological weapons.

¹³ *Chemical and Bacteriological (Biological) Weapons and the Effects of their Possible Use* (United Nations publication, Sales No.: E.69.I.24).

¹⁴ *Official Records of the General Assembly, Twenty-third Session, Supplement No. 1A*, paras. 30-32.

¹⁵ *Official Records of the Disarmament Commission, Supplement for 1969*, document DC/232.

¹² See *Official Records of the General Assembly, Twenty-fourth Session, Supplement No. 1A*, para. 28.

73. My delegation has read the report submitted to the Secretary-General by the Director-General of the International Atomic Energy Agency on the various resolutions adopted at the Conference of Non-Nuclear-Weapon States held at Geneva in 1968. On the question of special funds being made available for the purchase of fissionable materials for the benefit of non-nuclear-weapon States, particularly the developing countries, we note with a certain amount of satisfaction that three of the four Member States—the United Kingdom, the USSR and the United States—which have plants for enriched uranium have remained favourable in their response in this regard. I hope that our present stand on the non-proliferation Treaty will not adversely affect our relations with IAEA, as it is our understanding that requests for assistance from that Agency are not tied to the signing and/or ratification of the non-proliferation Treaty. We have expressed our fears before concerning the possibility of discrimination against us by the Agency in the field of scientific assistance and I wish to place these fears on record once again.

74. One of the central issues of my country's development policy, second only to agricultural development, is the need for the expansion of our industrial sector. With the potential that my country derives from copper production, our Government welcomes the comprehensive study carried out by the group of experts in reporting on the possible uses of nuclear technology and scientific advancement for the benefit of the developing countries [A/7568].

75. In concluding my brief intervention, I should like to make reference to the purchase of arms by developing countries. A great deal was said last year about the need to impose a measure of control on the sale and delivery of arms to developing countries in instituting some form of registration of international arms transfers. My delegation holds very strong reservations on this subject because of the one-sided effect of the scheme, which would virtually impose arms control only on the developing countries. We believe that the defence of the territorial sovereignty of countries is not only the prerogative of the big and super-Powers; it is also that of the small countries, which, after all, have a special and direct responsibility in this regard.

76. Whatever the eloquence and the grandiose intentions of the big Powers might be in relation to the development of the small countries vis-à-vis foreign aid, my delegation is of the firm conviction that the small countries should be left to decide their order of priorities. It is cardinal in my opinion that development can be successfully achieved only if the sovereignty of the country is safeguarded; and if that is where the priority of small countries lies, then it is our submission that such countries should be left alone to set their priorities accordingly.

77. Nuclear arms are deadly weapons of mass destruction and slaughter. They are invented by man to satisfy his selfish instinct. I hope that man will not become a prisoner of his own inventions, because in the event of a nuclear confrontation between the nuclear giants it is inevitably we, the unarmed, who will suffer most; apart from anything else we shall be paying a high price for crimes we did not commit and there may be no one in this chamber alive even to recall that we had treaties to ban nuclear weapons.

78. In Zambia we have a saying that "when two elephants fight, it is the grass that suffers most". I regret to say that we are not yet ready to be turned into grass.

79. With regard to the various draft resolutions which have so far been proliferating and to those that are likely to be added to the list as this debate progresses, my delegation would like to state that it will consider them in their order of merit.

80. Mr. WANE (Senegal) (*translated from French*): History has so far borne out Blaise Pascal, the seventeenth century author and philosopher of Pont-Royal, who 300 years ago expressed alarm at the fact that progress made in the field of science was outstripping man's progress in the knowledge of himself. Rabelais, too, in the sixteenth century, wrote that science without conscience was the blight of the soul. They were telling us that the gap grows wider between the breath-taking speed of the development of technology and the slower and more hesitant growth of man's conscience. Man has become, in effect, the master and the owner of nature, but his wisdom has lagged behind what he has achieved.

81. Scientific and technological progress, which could and should have been the source of man's liberation, today threatens to put an end to the whole man's adventure. Only a psychological and moral revolution can avert this ominous evolution. Machiavellianism has today become a mortal danger to mankind. The use of a policy of force in disputes between States, far from increasing the power, prestige and security of any State, can today lead only to general insecurity. It is high time that one man ceased to be the victim of another man, and it is with this conviction that my delegation will take up the problem of complete and general disarmament in this Committee.

82. Disarmament can ensure an era of peace and security to all peoples on earth only if it is general and complete. So long as States continue to manufacture and stockpile weapons, particularly nuclear weapons, to improve the delivery systems and to make the defence systems ever more fool-proof insecurity and suspicion will continue to grow. In such an atmosphere of mutual fear and suspicion, most States that are able to do so will prefer to rely on their own weapons for their security rather than on the goodwill of others. States that do not have the means will seek out allies, some of whom may often turn out to be masters. That is why the question which should have been discussed at the Conference of the Committee on Disarmament at Geneva was general and complete disarmament in accordance with the wishes expressed in General Assembly resolution 1378 (XIV), unanimously adopted on 20 November 1959. However, the Conference of the Committee on Disarmament at its meetings in Geneva during the period from 12 March to 30 October 1969 thought otherwise and concentrated more on effective measures for the cessation of the nuclear weapons arms race at an early date and for nuclear disarmament.

83. My delegation, however, would not wish to reproach the Conference of the Committee on Disarmament for having laid special stress on those points which, in the opinion even of the principal nuclear Powers, seemed to be ripe for consideration and therefore likely to be the subject of fruitful negotiations.

84. Therefore my delegation congratulates the Conference of the Committee on Disarmament for the work it has done and urges it to pursue its efforts to find new areas of understanding among the great thermonuclear Powers and to bring about a healthier international climate.

85. My delegation has studied with great interest the report of the Conference of the Committee on Disarmament [A/7741-DC/232].¹⁶ It has paid special attention to the following points: the draft treaty for the prohibition of underground tests of nuclear weapons; the question of denuclearized zones; the prohibition of the emplacement of nuclear and thermonuclear weapons on the sea-bed and the ocean floor and in the subsoil thereof; and the limitation of delivery systems of offensive and strategic nuclear weapons and anti-missile systems.

86. The delegation of Senegal is definitely in favour of the prohibition of the testing of nuclear weapons underground. Six years have gone by since the signature of the Moscow Treaty in 1953, prohibiting nuclear tests in the atmosphere, under water and in outer space. We hoped at that time that the two contracting Parties would rapidly reach an agreement to prohibit these tests underground. But the meetings of the Conference of the Committee on Disarmament devoted to this question have proved that that was not to be, and the question of control is still an insurmountable barrier. We were attracted by the proposals made by Japan on 31 July 1969 for the prohibition of underground nuclear tests at a magnitude greater than 4.75, and then, in the second phase, the prohibition of all tests when a system of verification made it possible to control underground tests at a magnitude higher than 4.0 [see ENDC/PV.424].

87. The question of the exchange of seismological information has been welcomed by several states, and Senegal could hardly fail to support such a proposal which should help to bring about the prohibition of all nuclear tests.

88. I shall not deal at length with the draft treaty on the prohibition of the emplacement of nuclear weapons and other weapons of mass destruction on the sea-bed and ocean floor and in the subsoil thereof [A/7741-DC/232, annex A]. This was submitted only on 7 October 1969, when the representatives of the United States and the Soviet Union jointly presented the draft treaty in question, and it was only on 30 October 1969, that is to say, less than a month ago, that the representatives of those States submitted to the Committee a revised draft treaty, including the amendments on which the Co-Chairmen had reached agreement. This important document has been transmitted to the Government of Senegal, and is being carefully studied at present. All I can say now is that my delegation agrees with the prohibition of the placing on the sea-bed and ocean floor of nuclear weapons and other weapons of mass destruction as well as structures, launching installations or any other facilities specially designed for storing, testing or using such weapons.

89. My country did not have an opportunity to participate in the discussions in the Disarmament Committee and this is why my delegation in the First Committee of the General

Assembly feels compelled to put certain questions that come to mind on reading the present draft treaty.

90. Why have the co-sponsors forbidden the emplacement and stockpiling of nuclear weapons and weapons of mass destruction on all of the sea-bed and ocean floor and in the subsoil thereof including, of course, the areas within their jurisdiction? Any accident occurring to any installation or any weapon in territorial waters is very likely to affect what we consider for our part to be the common heritage of mankind.

91. My delegation also wonders whether it was necessary for the limit of the zone exempted from the treaty to be linked to the maximum contiguous zone provided for under the Geneva Convention on the Continental Shelf. Many delegations have recalled here that that Convention has not been ratified by more than a third of the United Nations Members.

92. My delegation, following the example of other delegations, would like to support the proposal made by Brazil at the Conference of the Committee on Disarmament to have a provision added to the draft treaty so as to permit a coastal State to participate in control operations in its continental shelf.

93. The delegation of Senegal wishes to reaffirm solemnly, however, that the draft treaty submitted to us is extremely useful because we have to be content with a policy of one small step at a time. We consider this small step today to be most useful. It will be one of the many steps on the sandy and difficult road to disarmament.

94. We also wish to welcome the present American-Soviet talks in Helsinki on the limitation of offensive strategic delivery systems and ballistic defence systems. President Nixon has described these conversations as the most important ever entrusted to an American delegation. We take note of this declaration by the President of the United States. We know that the talks will be long and difficult. Nevertheless we hope that they will represent a reversal in trend and a favourable turning-point in relations among the great Powers and between the two great Powers and the rest of the world.

95. Allow me to speak briefly about a last point—denuclearized areas. This is very important. The denuclearized zones, it must be admitted, have served in the past as a pretext for endeavouring to tie the hands of the only States in specific geographical areas that have stockpiles and launching bases while in other parts of the world the armaments race went on at a headlong pace, constantly increasing the imbalance in forces in the world. However, it is a great satisfaction for my delegation to welcome the Tlatelolco Treaty for the Prohibition of Nuclear Weapons in Latin America. We see this as another example of the many steps which may one day lead to general and complete disarmament.

96. In the statement the President of the Agency for the Prohibition of Nuclear Weapons in Latin America, Mr. Alfonso Garcia Robles, Under-Secretary for Foreign Affairs of Mexico, made at the opening meeting of the first session of

¹⁶ Official Records of the Disarmament Commission, Supplement for 1969, No. DC/232.

the General Conference of the Agency, he commented as follows on the Treaty:

“For the States of Latin America which are already Parties to the Treaty, as for those that will accede to it in the future, the régime of total military denuclearization established under the Treaty entails a twofold benefit: that of removing from their territories the danger of being converted into a possible target for nuclear attack, and that of avoiding the wastage of their resources, indispensable for the economic and social development of their peoples, on the production of nuclear weapons” [*ibid.*, annex C, section 33].

The Secretary-General of the United Nations, U Thant, is of the same opinion. He stated:

“The creation of the zone is in full accord with the purposes and principles of the United Nations Charter. In fact, after the Treaty for the Prohibition of Nuclear Weapons in Latin America was adopted and signed by the members of the Preparatory Commission, the General Assembly in December 1967, by resolution 2286 (XXII), welcomed the Treaty ‘with special satisfaction’ as ‘an event of historic significance in the efforts to prevent the proliferation of nuclear weapons and to promote international peace and security . . . which at the same time establishes the right of Latin American countries to use nuclear energy for demonstrated peaceful purposes . . .’” [*ibid.*].

97. Once again we congratulate the peoples and Governments of Latin America for this useful work for peace and we are most grateful to the Government of Mexico for the important role which that country played in the preparation and adoption of the Treaty.

98. My delegation has also taken note of the statements made by the representatives of Poland and Romania on the denuclearization of Central Europe and the Balkans at the Disarmament Conference on 1 April and 8 May 1969 respectively [*see ENDC/PV.399 and 409*]. Such initiatives are most encouraging and we have every reason to believe that they will not stop half way.

99. Mankind is at a crossroads. It can choose to be satisfied with the present situation without ever knowing whether it will always be able to master the forces which its genius has created. Or it can follow the wiser course of overtaking technological progress and by disarming as rapidly as possible, to free further resources and energy. The first course will, I am convinced, lead to annihilation and the second to life. Faced with the choice of life or death the peoples of the whole world have chosen life. Men of good will must help to make that choice a reality.

100. The CHAIRMAN: I have no more speakers in the general debate for this morning. The representative of Malta has asked for the floor to make a brief statement in connexion with the recent discussions of the Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction. If there is no objection I shall call on him now.

101. Mr. GAUCI (Malta): The purpose of my intervention is to introduce very briefly the report of the Sea-Bed Committee arising from the discussions that were held in the last few days [*A/7622/Add.1*].

102. The Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction utilized available conference facilities to discuss the implications, as they relate to the Committee’s mandate, of the draft treaty on the prohibition of the emplacement of nuclear weapons and other weapons of mass destruction on the sea-bed and the ocean floor which was annexed to the report submitted by the Conference of the Committee on Disarmament to the General Assembly [*A/7741-DC/232, annex A*]. Discussion was of a preliminary nature, a report outlining the considerations expressed during the five meetings held has been produced and approved by the Committee. It has been issued as an addendum to the previous report of the Sea-Bed Committee.

103. I do not feel that I should take up this Committee’s valuable time by commenting extensively on the report since it is fairly short and speaks for itself. It attempts, however, to outline the main considerations arising from the provisions of the proposed draft treaty which were discussed in the course of the meetings held by the Sea-Bed Committee, where a useful but preliminary exchange of views took place. While the initiative of the two major Powers was welcomed, it was stressed in the Sea-Bed Committee that the question of the reservation exclusively for peaceful purposes of the ocean floor beyond national jurisdiction, as it relates to the broad mandate of the Sea-Bed Committee, needs further study and that the elements of the régime which the Committee is elaborating should in no way be prejudged through the provisions of the proposed draft treaty.

104. Some suggestions were also made designed to remove reservations to the present text, mainly as they relate to existing international law and proposed verification procedures. These points will no doubt be further elaborated in the course of the present debate.

The meeting rose at 12.45 p.m.