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Chairman: Mr. Agha SHAHI (Pakistan).

**AGENDA ITEM 29**

**Question of general and complete disarmament: report of  
the Conference of the Committee on Disarmament  
(continued) (A/7639, A/7681 and A/7741-DC/232, A/  
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L.504)**

CONSIDERATION OF THE DRAFT RESOLUTIONS

1. The CHAIRMAN: The Committee will continue its consideration of the draft resolution and amendments submitted under item 29, "Question of general and complete disarmament".

2. Mr. ALHOLM (Finland): The beginning of bilateral negotiations on 17 November between the Governments of the Soviet Union and the United States on the limitation of offensive and defensive strategic nuclear weapon systems has been welcomed by members of this Committee. It has been stated that these negotiations are the most important in the field of disarmament and arms control since the Second World War. My delegation is among those who fully share that view.

3. We also realize that the problems involved in those talks are most complicated and delicate and need to be studied with the utmost care. Both the vital question of national security and the future possibility of making any substantive progress in disarmament negotiations seem to be at stake here. In view of the fact that the talks began only a few weeks ago, it would be inadvisable, in the opinion of

my delegation, to single out any particular aspect to which priority should be given in those negotiations. At this stage it would be preferable for this Committee to formulate a recommendation which in a positive way would further the main aims of the talks now going on in Helsinki.

4. My delegation feels that, particularly in this far-reaching question, the co-operation of the nuclear Powers concerned is necessary in order to render any resolution passed by us meaningful and constructive. Since it has been made quite clear that the Powers conducting the strategic arms limitation talks would not be in a position to support draft resolution A/C.1/L.490 and Add.1 and 2, it would be advisable for us to find a wording which would be generally acceptable to members of this Committee, including the nuclear Powers. In the opinion of my delegation, that aim would best be achieved by adopting the amendment presented by five countries in document A/C.1/L.501. Consequently, my delegation will vote in favour of that amendment and expresses the hope that it will be adopted by the Committee.

5. Mr. HUSSAIN (India): The proposed amendments to draft resolution A/C.1/L.499 contained in document A/C.1/L.504 have been placed before all the members of the Committee.

6. To begin with, I should like to say that we are very grateful to the delegations of Ireland, Italy and Japan for their initiative in presenting the draft resolution contained in document A/C.1/L.499, on the Disarmament Decade. We agree with the basic concept of giving serious attention to some kind of programme for achievement, or advancement towards it, of general and complete disarmament as well as the intermediate steps towards that goal.

7. The representative of Italy, in his statement at the 1714th meeting, introducing the draft resolution contained in document A/C.1/L.499 and also in the statement which he made this morning at the 1715th meeting, dealt convincingly with the *raison d'être* for approving that draft resolution. We agree with the reasons that he gave during the course of those two statements. We are also glad to note that the co-sponsors of this draft resolution have accepted the amendments proposed by the delegations of Cyprus and Ghana and contained in document A/C.1/L.503. These are necessary changes, and it is gratifying that the co-sponsors of the other draft resolutions have welcomed them. We shall also vote for those amendments.

8. But keeping in view the basic objectives of the draft contained in document A/C.1/L.499, we feel that certain further amendments are necessary to achieve the objectives on which we are all agreed. Therefore, the delegations of Brazil, Burma, Chile, Ethiopia, India, Pakistan and Sweden,

and, let me add, since then, Morocco, have co-sponsored some further amendments [A/C.1/L.504].

9. I should now like to give the reasons for the changes that we proposed.

10. Three of the amendments are relatively minor verbal changes, that is to say, those mentioned in paragraphs 1, 3 and 4. The first one is an obviously necessary change, namely, that the words "nuclear Powers" be changed to "nuclear-weapon Powers". We have, in all documents relating to nuclear disarmament and to disarmament, invariably referred to the nuclear Powers as "nuclear-weapon Powers". Secondly, in the twelfth preambular paragraph, we feel that the word "tremendously" is an unnecessarily strong qualification of the word "enhanced" and that we should delete it. Thirdly, in paragraph 1 we have suggested an alternative wording: "*Declares*", instead of "*Resolves* to dedicate". It may be added that the General Assembly already adopted a resolution earlier in this session "declaring" this as a Disarmament Decade.

11. I now refer to the two relatively major changes which we propose to make. The first concerns the eleventh preambular paragraph. I am sure that when I explain the reasons, most delegations would agree that it is very difficult, even impossible, to accept the view that military expenditures in respect of developing countries have been, as is stated in that paragraph, responsible as "an important factor in the failure to make greater progress in the advancement of the developing countries during the first United Nations Development Decade". The reasons for the lack of development and progress in the developing countries were the subject-matter of lengthy discussions in the First and Second United Nations Conference on Trade and Development, in 1964 and 1968. Those reasons are well known, and I do not think that in the First Committee we need go into that matter. But it is recognized that the developed countries share a great deal of responsibility for the lack of the development that was envisaged and expected in the earlier stages of the first United Nations Development Decade. It is also well known that political conflicts in certain areas were responsible for such expenditures as were considered necessary. The attitude of certain great Powers contributed towards the worsening of the conflicts involving those expenditures. So it would not seem proper and just to apportion any kind of blame to military expenditures in this respect. Whatever the reasons, and they are not the subject-matter of the discussion in this Committee, they are not relevant to dealing with the problem of disarmament. Hence, we have proposed an alternative paragraph which is simpler and less controversial, one which will, I hope, be generally acceptable to the members of the Committee.

12. I would now come to the crux of the matter, which is contained in paragraphs 3 and 4. Let me say at the beginning that we generally agree with the concept contained in these paragraphs. Our suggestion is only that the paragraphs might be reworded to convey the meaning more clearly and concisely, as well as more precisely. In the first place, we take objection to the fact that reference has been made to paragraph 37 of the report of the Conference of the Committee on Disarmament. As the members of the Committee are aware, this relates to the preliminary agenda adopted by the Conference of the Committee on Disarma-

ment in August 1968. That so-called preliminary agenda was a subject of discussion last year and has been under some discussion this year as well. It is not really an agenda; it is a conglomeration of various items relating to the whole field of disarmament. No priorities have been assigned among different headings or, under each heading, among different items. Even the items have not been spelled out. It should be regarded as a kind of directory of the whole field of disarmament. Without some order of priority it is not possible for us to make any substantial progress. It will be recalled that in our general debate many delegations mentioned that we have concentrated on non-armament measures rather than on nuclear-disarmament or disarmament measures. In view of that, we strongly feel that paragraphs 3 and 4 should convey more clearly the point that some order of priority is necessary. In the discussion that took place this morning, objection was taken to the word "programme". I do not think the sponsors of draft resolution A/C.1/L.499, or ourselves, are in any way suggesting any rigid programme. We do not want to be literal about the word "programme". It is not suggested that each item should be set out with time-limits; what we do stress and what we would like to insist upon is that some general guide-lines and broad priorities are necessary, and that without them adequate and substantial progress cannot be made. That fact has already been stressed by a large number of delegations.

13. It will be recalled that broadly-worded resolutions have been adopted since 1959. Some of those resolutions have been referred to in this draft resolution, and others also have been mentioned during our debate. We are also aware, and it has been commented upon by many of us and by the Secretary-General in the introduction to his report, that no substantial results have been produced. It is therefore necessary that the wishes of the General Assembly be expressed in a more specific manner than has thus far been done. Only then can we measure the rate of progress towards general and complete disarmament and evaluate the collateral measures that will help towards the achievement of that objective. It is for those reasons that we have suggested an alternative wording for paragraphs 3 and 4, and we hope that it will receive favourable consideration by the members of this Committee.

14. Mr. ARAUJO CASTRO (Brazil): I have very little to add to what has just been stated by Ambassador Hussain of India. He has explained fully the purposes of the amendments contained in document A/C.1/L.504, which have been presented by Brazil, Burma, Chile, Ethiopia, India, Pakistan and Sweden. On this occasion, I just wish to commend the amendments to the consideration of the First Committee and to express our appreciation for the efforts made by the delegations of Ireland, Italy and Japan which provided us with a document of wide scope. Nevertheless, we think that with the adoption of these amendments the text would acquire more logic and more consistency, and would be more fully in accordance with the objectives of the United Nations in the disarmament field. It is mostly a question of emphasis to be given to the several subjects.

15. I wish to draw the Committee's attention to the new paragraph 3 that is proposed. It reads:

"Calls on the Conference of the Committee on Disarmament to intensify its efforts towards the early conclusion

of an agreement on general and complete disarmament under effective international control with a view in particular to the speedy halting and reversal of the nuclear arms race and, to this end, to draw up a comprehensive programme listing appropriate priorities for consideration by the General Assembly at its twenty-fifth session.”

16. We attach particular importance to this idea of drawing up a comprehensive programme listing appropriate priorities, because we think that the elaboration of this programme would enormously facilitate the proceedings of the General Assembly at its twenty-fifth session.

17. Mr. PARDO (Malta): I listened very carefully to the statements and references which were made this morning to the draft resolutions submitted by my delegation. I wish to thank Lord Chalfont for his very kind words with regard to my delegation, but, frankly, I am a little surprised at the reticence shown by a few delegations with regard to the draft resolutions submitted by us.

18. The first of the draft resolutions refers to radiological warfare [*A/C.1/L.493/Rev.1*]. As I made clear in my statement, there are two branches of radiological warfare. One branch refers to the possibility of maximizing death and injury through radioactive fallout, for instance, by encasing bombs with cobalt. This is known to everybody here. My delegation is most anxious that the matter receive consideration in the context of disarmament negotiations, since this type of weapon is the only one at present available which can literally destroy and kill off all mankind. All we recommend is:

“... that the Conference of the Committee on Disarmament consider, in the context of nuclear arms control negotiations, the need for effective methods of control of nuclear weapons that maximize radioactive effects”.

I do not see what objection there can be to this very modest request, made without any rhetoric whatsoever.

19. The second branch of radiological warfare could consist in the utilization of radioactive agents, independently of nuclear explosions. In our statement we made it very clear that this is not perhaps a vital area of armaments. But it is precisely because it is not a vital area, precisely because it does not touch upon a very sensitive military nerve, that the Conference of the Committee on Disarmament might make progress in the control of this type of warfare. All that my delegation asks is that the Conference of the Committee on Disarmament, without prejudice to existing priorities—that is to say, leaving existing priorities as they are—consider effective methods of control with regard to those methods of warfare. The prospects, if followed up, are, in the opinion of my delegation at least, reasonably good.

20. It was stated with regard to the other draft resolution [*A/C.1/L.494/Rev.1*] submitted by my delegation, which concerns lasers, that it is premature. We certainly do not pretend that lasers are of vital military importance at this minute. However, they may have a very far-reaching military importance in a very few years time. We do not see what harm there can be in referring the question of lasers to

the Conference of the Committee on Disarmament, without, again, any prejudice to existing priorities. Let members of the Conference of the Committee on Disarmament become acquainted with the technical background of this question, and then, in due course, perhaps the Conference of the Committee on Disarmament will report the matter to the General Assembly again. I do not see what possible objection there can be to this.

21. The third draft resolution [*A/C.1/L.492*] of my delegation concerns the updating of the publication *The United Nations and Disarmament, 1945-1965*.<sup>1</sup> As the Committee is aware, we do not wish to contribute excessively to a proliferation of draft resolutions. We are willing to withdraw this draft resolution if you, Mr. Chairman, are in a position to make a consensus statement on the question.

22. I would point out, in this connexion, that in proposing the updating of that publication, we had particularly in mind the needs of smaller delegations, which need every possible background publication that is available. This is a handy publication which contains much useful information, and we thought that it would be useful to all of us, but particularly to the smaller delegations.

23. Lord CHALFONT (United Kingdom): I am anxious not to prolong this stage of the debate unduly, but I should like to make one or two very brief comments on the latest turn of events in the matter of the draft resolution originally sponsored by Italy, Ireland and Japan [*A/C.1/L.499*].

24. When this draft resolution was first submitted it was one that my delegation could happily have supported. Then an amendment was submitted [*A/C.1/L.503*] and accepted by the co-sponsors, which would have made it rather more difficult for us to support the draft resolution. But, having heard the explanation and the interpretation by the Italian representative [*1715th meeting*] of the change, we felt that, after all, we could give our support to the draft resolution. I had intended to vote in its favour if the draft resolution had come to a vote.

25. However, the new set of amendments [*A/C.1/L.504*], which were recently submitted by Brazil and other delegations and on which the representative of India has commented, takes us back to a situation where we find it impossible to support the amended draft resolution. I shall leave out of the reckoning at the moment the suggested amendments to the paragraphs of the preamble, although I must say that I am not entirely convinced by the argument for including the word “weapon” after “nuclear” in the sixth paragraph of the preamble. It seems to me that it is important that all nuclear Powers, not only nuclear-weapon Powers, should be involved in the process of nuclear arms control. But I leave that simply as a matter of comment and go on to what is the most important amendment; that contained in paragraph 5, asking us to replace paragraphs 3 and 4 by a new paragraph 3.

26. Here I feel that we are getting into the dangerous area of supposing that the drawing up of programmes is an

<sup>1</sup> United Nations publication, Sales No. 67.I.9.

adequate substitute for arms control and disarmament. Of course it is not. What I believe we must address ourselves to in the Conference of the Committee on Disarmament is the business of going forward on constructive measures of arms control and, if possible, of disarmament as well.

27. It seems to me, and this I know is a preoccupation shared by other delegations, that if we waste too much time or take up too much time in the drawing up of programmes, we shall exclude ourselves from the serious business of arms control and disarmament. In my view, this new amendment takes us too far in the direction of using up important time at Geneva in drawing up programmes when we should be considering new ways of controlling the arms race, and particularly controlling the nuclear weapons problem.

28. For that reason my delegation will vote against this latest amendment if it should come to the vote, and if it should be carried, we shall find ourselves unable to support the draft resolution as amended.

29. Mr. AYLWIN (Chile) (*translated from Spanish*): My delegation would like to explain its position on draft resolution A/C.1/L.499 and the amendments that have been submitted to it.

30. On 31 October, the General Assembly welcomed and endorsed the call of the Secretary-General for the proclamation of a Disarmament Decade starting in 1970. That resolution [2499 (XXIV)] was adopted following a proposal of which Chile was a sponsor. Naturally, we believe that draft resolution A/C.1/L.499 is aimed at implementing the agreement already reached by the General Assembly that the 1970s should be a Disarmament Decade coinciding with the Second United Nations Development Decade. We therefore give it our full support.

31. In our opinion, the eleventh preambular paragraph lends itself to misinterpretation because, as it stands, it might be understood to mean that the burden of the arms race, which delays or obstructs the task of development, falls primarily on the developing countries. In other words, it implies that it is the developing countries which are wasting or squandering resources that should be set aside for development and are being spent on the arms race.

32. Obviously the proportion of resources set aside by the developing countries for arms is insignificant, in terms of world figures, as compared with the vast amounts invested in the arms race by the great Powers. That is why the amendment in document A/C.1/L.504 suggests replacing that preambular paragraph to avoid any such misunderstanding.

33. Paragraphs 3 and 4 of draft resolution A/C.1/L.499 do not seem to us to be specific enough about the need for a programme establishing priorities for the achievement of disarmament in the course of the Decade. This morning we heard the representative of the Soviet Union asking what a Disarmament Decade meant. Does it mean a decade to study disarmament measures, to discuss or negotiate disarmament, or does it mean a decade to implement disarmament measures? It is our understanding that it means both, but primarily the latter, so that by the end of

the decade we shall have achieved the goal of general and complete disarmament which the United Nations General Assembly proclaimed many years ago. If that goal is to be achieved, as the representative of the United Kingdom said a few days ago, we obviously cannot expect results overnight. The results must be the outcome of a continuing effort, both in negotiation and in the implementation of measures.

34. What we are trying to say here is that the international community wants to be able to achieve general and complete disarmament during the ten-year period, through the gradual machinery of a programme which establishes priorities and on which the great Powers, particularly the nuclear Powers, agree.

35. I think this is what mankind expects from the nuclear Powers and from all the States Members of this Organization. This is the idea that we have tried to express in the amendment on this point.

36. Mr. ESCHAUZIER (Netherlands): I also wish to speak briefly on the draft resolution contained in document A/C.1/L.499 submitted by the delegations of Ireland, Italy and Japan. First, I should like to thank and congratulate the three delegations for their achievement in submitting a draft which, in our judgement, should be, broadly speaking, generally acceptable. My delegation was privileged to participate in the preliminary discussions on this draft and, although we did not ask to be listed as one of the co-sponsors, I can state that we would be prepared to vote in favour of the draft resolution as it stands now in spite of certain reservations which we continue to hold.

37. My delegation has some doubts about the usefulness of proclaiming a Disarmament Decade in view of the fact that it may be premature to establish a ten-year programme in the field of disarmament since this question is, in our opinion, closely linked with further developments and progress in the over-all political field in the world.

38. Also my delegation has, during previous meetings of this Committee and as a new member of the Conference of the Committee on Disarmament at Geneva, consistently held the view that it would be undesirable to establish too rigid a programme of work for either the Committee on Disarmament or any other organ of the United Nations in the field of arms control and disarmament or to set a certain pattern of priorities which have to be adhered to. We are disinclined to accept the idea that a precise schedule or a fixed time limit would be helpful in achieving the very goal which we are trying to reach.

39. My delegation was very happy with the formula which has eventually been adopted by the co-sponsors of the draft resolution in document A/C.1/L.499 and which is contained in paragraph 4. In particular the expression "to work towards a comprehensive programme" appealed to us, and also the reference to a guideline charting a course for the further work of the Committee.

40. I now am bound to state that with regard to the amendments to the draft resolution put forward by the representative of India, on behalf of his delegation and several other delegations and contained in document

A/C.1/L.504, we do have serious objections to replacing paragraphs 3 and 4 by a new paragraph 3 as proposed by the representative of India. We could not agree to the language “to draw up a comprehensive programme listing appropriate priorities for consideration by the General Assembly at its twenty-fifth session”. The maximum that we would be willing to accept is paragraph 4 as it stands now.

41. In this connexion, I wish to state that we would have preferred it if the three co-sponsors had not seen fit to accept the amendments contained in document A/C.1/L.503 put forward by the delegations of Cyprus and Ghana to the effect that the words “to work towards” should be replaced by the term “to work out”. I want to make a specific reservation with regard to that change. However, in view of the explanation given by the representative of Italy in accepting that particular amendment, my delegation would still be prepared to vote for the draft resolution contained in document A/C.1/L.499 provided that no further change were brought about in the text.

42. We shall therefore be reluctantly compelled to vote against the new operative paragraph proposed by the representative of India and other delegations in document A/C.1/L.504. If that amendment should be adopted, I am afraid that we would be unable to support the draft resolution contained in document A/C.1/L.499 as amended.

43. Mr. LEONARD (United States of America): I should like first to make a few comments with respect to the amendment to the draft resolution contained in document A/C.1/L.499 which was presented to us a few moments ago by the representative of India on behalf of the delegation of Brazil and other delegations and which is contained in document A/C.1/L.504. We had earlier expressed our reservations with regard to the amendment submitted by the delegations of Cyprus and Ghana. However, like the representatives of the United Kingdom and the Netherlands, we were substantially reassured by the explanations which Ambassador Vinci, the representative of Italy, gave with respect to that amendment to the draft resolution in accepting it on behalf of the co-sponsors.

44. Despite the eloquent explanations which have been offered by the representative of India, we must note that we would have real objections regarding an effort such as that called for in paragraph 5 of the amendments proposed in document A/C.1/L.504, which would call on us “to draw up a comprehensive programme listing appropriate priorities” and would call for that task to be carried through so that it could be considered by the General Assembly next year.

45. Our reservations would thus be much more serious than was the case with respect to the more modest suggestion put forward by the delegations of Cyprus and Ghana. We therefore will oppose the amendment put forward in document A/C.1/L.504, and I regret to say that we would not be able to support a draft resolution so amended, although we had looked forward to being able to give warm support to the draft resolution contained in document A/C.1/L.499.

46. While I am speaking I should like to make a few remarks on another subject, namely, the draft resolution that was presented to us just before lunch by the representative of Mexico on behalf of a group of sponsors. The United States delegation feels that that is a useful resolution to have on the record. The former Eighteen-Nation Disarmament Committee was enlarged this past summer by eight new members, and the draft resolution contained in document A/C.1/L.495/Rev.1 takes appropriate cognizance of that fact. It recalls the two resolutions adopted by the General Assembly just before and just after the establishment of the Eighteen-Nation Disarmament Committee, particularly the second of those resolutions, resolution 1722 (XVI) of 20 December 1961, which endorsed the agreement which had just previously been reached by the United States and the Soviet Union to set up the Eighteen-Nation Disarmament Committee.

47. That draft resolution then goes on to remind us that in the First Committee last year there was widespread sentiment in favour of enlarging the Eighteen-Nation Disarmament Committee. The draft resolution notes that this past summer agreement was reached on the composition of the group of new members, which then joined in the work of the Disarmament Conference in Geneva, as well as on an appropriate change in the Committee's name.

48. The most significant portion of that draft resolution is, of course, the first operative paragraph. It would have the General Assembly endorse the agreements reached last summer with respect to both the new composition of the Committee and its new title. We are pleased to note that none of the speakers here has raised objections to any of the new members, and we are most gratified in our expectation that the Assembly will give its endorsement to the composition of the Conference of the Committee on Disarmament. This new composition was very carefully negotiated over a prolonged period, with all possible consideration given to making it truly reflect the changes in the international community in the period subsequent to the establishment of the Eighteen-Nation Committee on Disarmament.

49. I would not try to assert that the present composition of the Conference of the Committee on Disarmament is completely satisfactory to every Government represented in this Committee. I doubt in fact that any such perfect solution exists for a problem of this character. But the United States delegation has been most encouraged by the comments on this score made during the current session. I would note in particular that the very limited nature of this enlargement has enabled the Conference of the Committee on Disarmament, even during the brief period since the new members joined in its work, to demonstrate that it has not lost its character as a negotiating body.

50. This positive characteristic of the Geneva Committee was in fact demonstrated quite dramatically during the month of October. As you know, Mr. Chairman, it was only in early October that the two delegations of the Soviet Union and the United States, which had been sponsoring widely divergent proposals with regard to a sea-bed treaty, were able to agree on a common draft [A/7741-DC/232,<sup>2</sup>

<sup>2</sup> Official Records of the Disarmament Commission, Supplement for 1969, document DC/232.



*annex C, section 34*]. Nevertheless, at that late date, the other members of the Geneva Committee because of the broad understanding which they had already acquired regarding the elements of that problem, were able very quickly to make comments and suggestions which led to a number of important changes. Thus a second joint draft [*ibid.*, *annex A*] was submitted just before the Conference of the Committee on Disarmament adjourned so that its members could come to play an important role in the disarmament debate in this Committee. In fact, the process of negotiation which was begun at Geneva gained such momentum that it has been carried forward here concurrently with the debates in this Committee, and in fact it has engaged here a widened circle of participants.

51. The restricted number of Governments participating in the work of the Conference of the Committee on Disarmament has, of course, a negative as well as a positive side. If the Conference of the Committee on Disarmament is kept small, as it must be, there naturally will be a substantial number of Governments willing and able to contribute to the task of disarmament that will not be able to do this directly in that Committee. Many Governments that might have welcomed the opportunity to join the Conference of the Committee on Disarmament and that might have had much to contribute to it have, however, participated fully in the work of disarmament in the stage represented by this Committee, and I am sure that the delegations negotiating in Geneva will welcome and will benefit from the many useful ideas expressed in the interventions here, which are of course regularly available at Geneva.

52. The conviction of the United States delegation that the new composition of the Conference of the Committee on Disarmament is widely satisfactory to this Committee is reflected in the draft resolution before us [*A/C.1/L.495/Rev.1*], not only in the important paragraph endorsing the new composition, but also in the paragraph welcoming the new members. I need hardly repeat what Ambassador Yost said here earlier [*1691st meeting*] in warmly welcoming all of them on behalf of the United States, and I would only note again what a significant impact they have made in the brief but active period since they began participating in the Committee's work. I would, if I may, add a personal note, Mr. Chairman, first in praise of the contribution which you yourself have been making to solving several most pressing problems, both as head of the new delegation in Geneva and as Chairman of this Committee, and secondly in praise of the contributions made by Ambassador Kolo, who has been head of an old, established delegation in Geneva and has been Vice-Chairman of this Committee. The United States delegation is most grateful for the energy and the spirit displayed by both of the distinguished diplomats who have been guiding our proceedings.

53. Finally, draft resolution *A/C.1/L.495/Rev.1* expresses the conviction of the General Assembly that the procedure followed in 1961, when the Eighteen-Nation Disarmament Committee was established, was and will be the appropriate procedure whenever a change in the membership of the Geneva Committee is necessary. The United States shares that conviction and has consistently been guided by the precedent of 1961. We have of course noted the comments of several delegations, at Geneva and here, expressing reservations with regard to the procedure followed in the

enlargement effected last summer. We have also noted with appreciation that those reservations did not extend to the substance of the results of the negotiations; on the contrary, the new members have been universally welcomed. We regretted, naturally, that these divergencies, which related largely to timing, ever arose within the Eighteen-Nation Disarmament Committee, but we feel that the draft before us is an eminently satisfactory solution to these problems. The United States position with regard to the unique and delicate relationship between the Committee in Geneva and the General Assembly was well stated by our representative, Ambassador Stevenson, in 1961. It is not a simple question, and since our views have not altered in spite of the passage of time since 1961, I do not believe it necessary to try the patience of this Committee with a superfluous recapitulation at this point.

54. The final point in the draft resolution before us is the request to the Secretary-General to continue to make available to the Conference of the Committee on Disarmament the assistance which his staff has been providing. This is a routine request made every year, but the response to it has not been routine. The officers and other personnel of the Secretariat, in particular the distinguished, capable and dedicated Personal Representative of the Secretary-General, Mr. Protitch, have lent absolutely invaluable assistance to the work of the Conference of the Committee on Disarmament, as they have been doing ever since the Eighteen-Nation Disarmament Committee began its work, and our delegation in Geneva is most grateful to them for their efforts.

55. The draft resolution before us is, then, from the point of view of the United States delegation a wholly positive draft resolution. We will vote for it and we hope that it will, like its predecessor resolution 1722 (XVI) of 1961, obtain not merely overwhelming but unanimous support from this Committee.

56. The CHAIRMAN: I thank the representative of the United States for the kind words that he has said about me personally. I am sure I am also voicing the feelings of Ambassador Kolo when I say that he is very grateful for those kind words.

57. Mr. ROSHCHIN (Union of Soviet Socialist Republics) (*translated from Russian*): My delegation, too, wishes to record its position on the draft resolution submitted by Canada, Ecuador, Iran, Mexico and Nigeria on the expansion of the Committee on Disarmament [*A/C.1/L.495/Rev.1*]. In considering this matter and the draft resolution dealing with it, my delegation feels bound to bear in mind the following circumstances, to which attention has been drawn by previous speakers, in particular, the United States representative.

58. On 20 December 1961, in its resolution 1722 (XVI), the General Assembly took note with satisfaction of the report submitted by the USSR and United States delegations concerning the resumption of disarmament talks between the United States and the Soviet Union in an appropriate organ. What was meant then and what is meant now is the creation and existence of an independent body to consider disarmament questions, and not a subsidiary organ of the General Assembly.

59. With regard to the composition of this body, i.e., the Committee on Disarmament, when that Committee was set up the Soviet Union held the view, to which it still adheres, that along with the representatives of States belonging to the existing military-political groupings represented on a parity basis, representatives of non-aligned States should also sit on the Committee.

60. This principle, which was approved in the General Assembly and elsewhere, was followed when the Committee on Disarmament was recently enlarged from eighteen to twenty-six members.

61. I note with deep satisfaction that representatives in the First Committee have welcomed the addition to the Committee on Disarmament of new members, namely, Argentina, Hungary, Japan, Mongolia, Morocco, the Netherlands, Pakistan and Yugoslavia.

62. I also note with satisfaction that the draft resolution submitted by Canada, Ecuador, Iran, Mexico and Nigeria asks the General Assembly to endorse the agreement that has been reached on the new title and the new composition of the Committee in question and to welcome the eight new members of the Conference of the Committee on Disarmament.

63. This enlargement of the membership, on which the two Co-Chairmen had agreed, has been a timely measure, and one which has been endorsed by the General Assembly.

64. The results achieved by the Committee on Disarmament, in particular during its last session, held in the summer and autumn of this year, show that the Committee on Disarmament has chosen appropriate methods of work, so that there is every reason to believe that it will continue to conduct successfully negotiations on disarmament questions and on all the questions on its agenda.

65. The USSR delegation considers that the draft resolution submitted by Mexico and other sponsors and dealing with the activities of the Committee on Disarmament takes this fact into account, in that it makes no recommendations whatever regarding the organizational structure of that Committee.

66. For these reasons, my delegation will vote for the draft resolution.

67. Mr. VINCI (Italy): I have consulted the co-sponsors of resolution A/C.1/L.499 on the amendments which have been introduced this afternoon by the delegations of Brazil, Burma, Chile, Ethiopia, India, Pakistan and Sweden [A/C.1/L.504]. I should like first of all to thank those delegations on behalf of my delegation and the other co-sponsors for the appreciation and the attention they have given to our draft resolution. We were very pleased by what Ambassador Hussain has said on his behalf and on behalf of the co-sponsors of those amendments.

68. I shall try to take up the amendments one by one. I shall speak first of all of the amendments to the preambular paragraphs. I shall start by paragraph 3 of document A/C.1/L.504. It is proposed there to delete the word "tremendously" which is in the twelfth preambular para-

graph of our draft resolution. We accept the argument put forward by the representative of India that that might be an unnecessary and too strong qualification. So we will accept the deletion of that word.

69. The following paragraph 4 of document A/C.1/L.504 proposes to replace in paragraph 1 of draft resolution A/C.1/L.499 the words "Resolves to dedicate" by the word "Declares". While this is a question of a choice in wording, we would have no objection to accepting that change because it would not in any way affect the significance of that operative paragraph.

70. Paragraph 2 of the same document suggests that the eleventh preambular paragraph should be replaced by new wording which is contained in that document. I will not re-read it because it is now before all delegations. We have considered with all earnestness the arguments which have been put forward by the representatives of India and Chile and we certainly would have no objection to replacing our eleventh preambular paragraph with the text they have suggested.

71. As for the first amendment, in paragraph 1 of document A/C.1/L.504, we certainly share the view which has been expressed by the representative of the United Kingdom, Lord Chalfont, that if we did not put the word "weapon" after the word "nuclear" it is because we wanted to give a wider range and wider significance to that paragraph. We certainly are convinced that it would be more useful, more profitable and more productive if all nuclear Powers were associated in the efforts to contain the nuclear arms race. I think that would be even more fair and an evenly distributed obligation.

72. I finally come now to paragraph 5 of document A/C.1/L.504, which suggests replacing paragraphs 3 and 4 of our draft resolution with completely new wording. I understand that the representative of India had some strong objections to the reference to paragraph 37 of the report of the Conference of the Committee on Disarmament. I personally was not in Geneva, but I understand that that paragraph was the result of very lengthy and intensive consultations and I assume that all delegations at Geneva were associated with those consultations and finally agreed upon that paragraph. But that is not the really crucial matter.

73. When we introduced our draft resolution with those two operative paragraphs, I am referring to paragraphs 3 and 4, that was the result of widely conducted consultations in which we tried to find a text which was very carefully balanced in order to take into account, on the one hand, the views of all delegations that are firmly convinced that we still have to work mainly on collateral and partial measures. On the other hand, the views, and I would say the expectations, of many other delegations including my own, would like to see some effort made to work out a comprehensive programme of disarmament.

74. We have also taken note of the explanation of Mr. Hussain where he said that in listing appropriate priorities they did not mean to imply any time limits. Nevertheless, having heard the very important arguments which were put forward this morning and the arguments we

have heard this afternoon, we feel that our draft resolution is the one we can have accepted today by the majority of delegations, mainly to help towards progress in the negotiations in the Conference of the Committee on Disarmament.

75. I am afraid that if we in any way try to change that careful balance to which I referred, instead of having a meaningful and productive resolution we would have a resolution which might become meaningless because it would have no consequences or developments. I think of the words of Victor Hugo, that great French poet, who said that for him there was nothing stronger than an idea whose hour had come. That is true, but I am afraid that if you try to advance that hour, instead of taking one step forward you might take one step backwards, or even two steps backwards.

76. That is why I should like to make a very serious appeal to the delegations which have presented these amendments to reconsider the situation in the light of what I am saying, and to reconsider it especially in the light of the statements which have been made this morning and this afternoon. I am sure that if they could co-operate with us as we are trying to co-operate with them, and we have shown our spirit of conciliation in accepting their amendments to the preambular paragraphs, then these joint efforts between us would certainly enhance the results of the session's work.

77. Before concluding, may I thank the representative of the United Kingdom, Lord Chalfont, and our colleague from the Netherlands, Mr. Eschauzier, who have already stated before this Committee that they will support and vote in favour of the draft resolution as it was introduced and subsequently amended, following the suggestion of the delegations of Cyprus and Ghana. I would hope that those delegations, as well as other delegations, will be ready to support and vote in favour of our draft resolution with the amendments in the preambular paragraphs as proposed by Brazil and other delegations.

78. Again, I will repeat that we very much hope that those delegations which have presented these amendments will show a spirit of conciliation and co-operation with us and will not press to the vote the amendments to operative paragraphs 3 and 4 of our draft resolution. In case they should do so I would be forced to reconsider, with our co-sponsors, what we should do.

79. Mr. HUSSAIN (India): I am sure I am voicing the opinion of all the co-sponsors of the amendments contained in document A/C.1/L.504 when I express our gratitude and appreciation of the spirit of accommodation and co-operation shown by the leader of the Italian delegation in accepting three of the modifications proposed in document A/C.1/L.504, that is, amendments numbers 2, 3 and 4.

80. With regard to amendment 1, he expressed hesitation that the word "weapon" should be used after the word "nuclear". I may say that I am, frankly, not able to understand the reasoning behind it. That terminology has been discussed in the Eighteen-Nation Committee on Disarmament for a long period of time, especially preparatory to the negotiations relating to the Treaty on the Non-Proliferation of Nuclear Weapons. It is well known that there are five nuclear-weapon Powers and there are no

nuclear Powers other than the five nuclear-weapon Powers. That is why the wording used in all—I think I am right in saying all—the General Assembly resolutions passed in recent years, as well as the non-proliferation Treaty, is "nuclear-weapon Powers". However, this is not an important matter and I do not think we need dwell on it or regard it as a matter worth voting upon by itself.

81. That leaves paragraph 5 relating to paragraphs 3 and 4. I have listened with great attention to the earnest appeal made by the leader of the Italian delegation but I have not had full opportunity to discuss this matter with all the co-sponsors. May I have a little time to consult them before I give a response in regard to this paragraph?

82. Before I conclude, I do wish to express our appreciation to the Italian delegation, both for accepting the two modifications suggested by the delegations of Cyprus and Ghana and three of the modifications suggested by us. They really greatly improve the draft resolution before us and make it more generally acceptable.

83. Mr. VINCI (Italy): I should like to thank the representative of India for the consideration he has promised to give on his own behalf, and on behalf of the co-sponsors, to the amendments contained in document A/C.1/L.504.

84. The CHAIRMAN: I shall now, if I may, try to sum up the statements made in the last few minutes. The representative of Italy has accepted the amendments proposed in paragraphs 2, 3 and 4 of document A/C.1/L.504 to draft resolution A/C.1/L.499. I take it that the representative of India does not wish to press to the vote the amendment in the first paragraph of A/C.1/L.504, namely, to add the word "weapon" after the word "nuclear" in the sixth preambular paragraph.

85. In regard to the amendment in paragraph 5 of document A/C.1/L.504, the representative of India expressed the wish to be given a little time to consult the other co-sponsors of the amendments in that document.

86. I have no other speakers on my list. Therefore, I now invite the Committee to proceed to a vote on the various draft resolutions and amendments before us under agenda item 29, "Question of general and complete disarmament: report of the Conference of the Committee on Disarmament". I would hope that as there are a number of draft resolutions to be voted on before we come to draft resolution A/C.1/L.499, the representative of India will have no objection if we proceed to a vote in the following order: first, draft resolution A/C.1/L.490 and Add.1 and 2 and the amendment to it in document A/C.1/L.501; second, draft resolution A/C.1/L.493/Rev.1; third, draft resolution A/C.1/L.494/Rev.1; and fourth, draft resolution A/C.1/L.495/Rev.1. We shall then take up draft resolution A/C.1/L.499, and the question of amendments. Finally, I will come to the question of a consensus statement by the Chairman in lieu of proceeding to a vote on draft resolution A/C.1/L.492.

87. Mr. BAYANDOR (Iran): With regard to the order of voting which you just suggested, Mr. Chairman, my delegation has a proposal to make.



88. After consulting the sponsors and a number of other delegations, I should like to propose that draft resolution A/C.1/L.495/Rev.1, which my delegation is sponsoring, together with the delegations of Canada, Ecuador, Mexico and Nigeria, be put to the vote immediately after the voting on draft resolution A/C.1/L.490 and Add.1 and 2, on the question of SALT—the Helsinki negotiations. The reason we make this motion is very simple. In the first place, this draft resolution is of a procedural nature and naturally should precede consideration of substantive drafts. Secondly, since the draft confirms the new composition and the new name of the Geneva Disarmament Committee, we think that its adoption, and I hope and trust it will be unanimously adopted, will straighten out some questions raised in that connexion and will make it easier for us and a number of like-minded delegations to decide whether to vote for or against other draft resolutions in which references are made to the Conference of the Committee on Disarmament. There has been no objection to the proposal I am making on the part of delegations which we have had an opportunity and time to approach. I therefore venture to hope that it will be carried unanimously.

89. The CHAIRMAN: The representative of Iran has proposed that draft resolution A/C.1/L.495/Rev.1 be voted upon immediately after draft resolution A/C.1/L.490 and Add.1 and 2 and the amendment to A/C.1/L.490 in document A/C.1/L.501.

*It was so decided.*

90. The CHAIRMAN: The Committee will proceed to the vote on the fifteen-Power draft resolution contained in document A/C.1/L.490 and Add.1 and 2, under agenda item 29. First, I shall put to the vote the amendments thereto contained in document A/C.1/L.501. The amendments have been submitted by Canada, Hungary, Netherlands, Poland and the United Kingdom of Great Britain and Northern Ireland.

91. The representative of the Netherlands has requested a roll-call vote.

*A vote was taken by roll call.*

*The United Kingdom of Great Britain and Northern Ireland, having been drawn by lot by the Chairman, was called upon to vote first.*

*In favour:* United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Australia, Austria, Belgium, Bulgaria, Byelorussian SSR, Cameroon, Canada, Central African Republic, Chad, China, Congo (Democratic Republic of), Czechoslovakia, Denmark, Finland, France, Greece, Hungary, Iceland, Israel, Italy, Japan, Laos, Liberia, Madagascar, Mauritius, Mongolia, Netherlands, New Zealand, Norway, Poland, Portugal, Romania, South Africa, Swaziland, Turkey, Ukrainian SSR, Union of Soviet Socialist Republics.

*Against:* United Republic of Tanzania, Venezuela, Yugoslavia, Zambia, Algeria, Argentina, Bolivia, Brazil, Burma, Burundi, Ceylon, Chile, Costa Rica, Cyprus, Dahomey, Dominican Republic, Ecuador, El Salvador, Ethiopia, Ghana, Guatemala, Honduras, India, Indonesia, Ireland,

Jordan, Kenya, Kuwait, Lebanon, Libya, Mali, Mauritania, Mexico, Morocco, Nepal, Nicaragua, Niger, Nigeria, Pakistan, Panama, Peru, Philippines, Rwanda, Saudi Arabia, Singapore, Somalia, Sudan, Sweden, Uganda, United Arab Republic.

*Abstaining:* Afghanistan, Cuba, Guyana, Iran, Ivory Coast, Jamaica, Malaysia, Maldives, Malta, Senegal, Spain, Syria, Thailand, Togo, Trinidad and Tobago, Tunisia.

*The amendments were rejected by 50 votes to 40, with 16 abstentions.*

92. The CHAIRMAN: I now invite the Committee to vote on the draft resolution in the name of fifteen Powers contained in document A/C.1/L.490 and Add.1 and 2. A roll-call vote has been requested.

*A vote was taken by roll call.*

*Algeria, having been drawn by lot by the Chairman, was called upon to vote first.*

*In favour:* Argentina, Bolivia, Brazil, Burma, Burundi, Ceylon, Chad, Chile, Colombia, Costa Rica, Cyprus, Dahomey, Dominican Republic, Ecuador, El Salvador, Ethiopia, Ghana, Guatemala, Guyana, Honduras, India, Indonesia, Iran, Ireland, Israel, Ivory Coast, Jamaica, Jordan, Kenya, Kuwait, Lebanon, Libya, Malaysia, Maldives, Mali, Mauritania, Mexico, Morocco, Nepal, Nicaragua, Niger, Nigeria, Pakistan, Panama, Peru, Philippines, Romania, Rwanda, Saudi Arabia, Senegal, Singapore, Somalia, Spain, Sudan, Sweden, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, United Arab Republic, United Republic of Tanzania, Uruguay, Venezuela, Yugoslavia, Zambia, Afghanistan.

*Against:* None.

*Abstaining:* Algeria, Australia, Austria, Belgium, Bulgaria, Byelorussian Soviet Socialist Republic, Cameroon, Canada, Central African Republic, China, Congo (Democratic Republic of), Cuba, Czechoslovakia, Denmark, Finland, France, Greece, Hungary, Iceland, Italy, Japan, Laos, Liberia, Madagascar, Malta, Mauritius, Mongolia, Netherlands, New Zealand, Norway, Poland, Portugal, South Africa, Swaziland, Syria, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America.

*Draft resolution A/C.1/L.490 and Add.1 and 2 was adopted by 67 votes to none, with 40 abstentions.*

93. The CHAIRMAN: I now invite the Committee to proceed to a vote on draft resolution A/C.1/L.495/Rev.1.

*Draft resolution A/C.1/L.495/Rev.1 was adopted by 101 votes to none, with 5 abstentions.*

94. The CHAIRMAN: I now invite the Committee to proceed to a vote on draft resolution A/C.1/L.493/Rev.1.

*Draft resolution A/C.1/L.493/Rev.1 was adopted by 51 votes to none, with 52 abstentions.*

95. The CHAIRMAN: I now invite the Committee to proceed to a vote on draft resolution A/C.1/L.494/Rev.1.

*Draft resolution A/C.1/L.494/Rev.1 was adopted by 51 votes to none, with 53 abstentions.*

96. The CHAIRMAN: We now come to draft resolution A/C.1/L.499, as revised<sup>3</sup> by its sponsors by the acceptance of the amendments of Cyprus and Ghana contained in document A/C.1/L.503 and also the acceptance of the amendments contained in paragraphs 2, 3 and 4 of document A/C.1/L.504.

97. Before the Committee proceeds to a vote on this draft, however, I should like to ask the representative of India about the amendment contained in paragraph 5 of document A/C.1/L.504.

98. Mr. HUSSAIN (India): After consulting the co-sponsors, I should like to state that it is proposed that in operative paragraph 3 of document A/C.1/L.499 the words "along the lines set forth in paragraph 37 of its report to the General Assembly" be deleted. That is the only change in paragraph 3.

99. In paragraph 4, apart from the change already accepted, that is, to replace the word "towards" by the word "out", the only changes would be that in the fifth line the word "armaments" would be replaced by the word "arms" and the word "disarmament" would be replaced by the words "general and complete disarmament under effective international control". The paragraph as a whole would then read as follows:

*"Further requests the Conference on the Committee on Disarmament, while continuing intensive negotiations with a view to reaching the widest possible agreement on collateral measures, at the same time to work out a comprehensive programme, dealing with all aspects of the problem of the cessation of the arms race and general and complete disarmament under effective international control, which would provide the Conference with a guideline charting the course of its further work and of its further negotiations, and report thereon to the twenty-fifth General Assembly."*

100. With the acceptance of those changes in paragraphs 3 and 4 by the co-sponsors of draft resolution A/C.1/L.499, the co-sponsors of the amendments contained in document A/C.1/L.504 withdraw the amendment contained in paragraph 5 of that document. Thus the Committee could now proceed to vote on draft resolution A/C.1/L.499 with those amendments to paragraphs 3 and 4.

101. The CHAIRMAN: I take it that the Committee is ready to vote on draft resolution A/C.1/L.499 as amended in accordance with the indications given by me earlier and with the amendments to paragraphs 3 and 4 just referred to, which have been accepted by the sponsors of the draft resolution. A roll-call vote has been requested.

*A vote was taken by roll call.*

*Cyprus, having been drawn by lot by the Chairman, was called upon to vote first.*

*In favour:* Cyprus, Dahomey, Denmark, Dominican Republic, Ecuador, El Salvador, Ethiopia, Finland, Ghana, Greece, Guatemala, Guyana, Honduras, Iceland, India, Indonesia, Iran, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kenya, Kuwait, Laos, Lebanon, Liberia, Libya, Madagascar, Malaysia, Maldive Islands, Mali, Malta, Mauritania, Mauritius, Mexico, Morocco, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Portugal, Romania, Rwanda, Saudi Arabia, Senegal, Singapore, Somalia, South Africa, Spain, Sudan, Swaziland, Sweden, Syria, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Republic, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Venezuela, Yugoslavia, Zambia, Afghanistan, Algeria, Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Burma, Burundi, Cameroon, Canada, Central African Republic, Ceylon, Chad, Chile, China, Colombia, Congo (Democratic Republic of), Costa Rica.

*Against:* None.

*Abstaining:* Czechoslovakia, France, Hungary, Mongolia, Poland, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Bulgaria, Byelorussian Soviet Socialist Republic, Cuba.

*Draft resolution A/C.1/L.499, as amended, was adopted by 98 votes to none, with 10 abstentions.*

102. The CHAIRMAN: I should now like to inform the Committee that the delegation of Malta has requested that the following draft consensus statement be read out by the Chairman and put to the Committee, to replace the draft resolution in document A/C.1/L.492. I shall read out the proposed draft consensus:

*"It is the feeling of the First Committee that the volume prepared by the Secretariat entitled *The United Nations and Disarmament, 1945-1965*<sup>4</sup> contains a useful reference guide to the work of the United Nations in the field of disarmament, and that, in view of the arms control agreements that have been or are being negotiated, it would be desirable to revise this publication and to issue an updated edition. The twenty-fifth anniversary of the United Nations would seem an appropriate occasion for this updating, which should subsequently be undertaken at periodic intervals of five years."*

103. Before asking the Committee to agree or not on that draft consensus, I shall call on the Secretary of the Committee to make a statement on the financial implications of the proposal.

104. Mr. CHACKO (Secretary of the Committee): In accordance with the provisions of rule 154 of the rules of procedure of the General Assembly, I should like to inform the Committee of the financial implications of the proposal of the Maltese delegation.

<sup>3</sup> Subsequently circulated as document A/C.1/L.499/Rev.1.

<sup>4</sup> United Nations publication, Sales No. 67.I.9.

105. Should it be decided to issue an updated edition of *The United Nations and Disarmament, 1945-1965* in two languages, namely English and French, it is estimated that an additional amount of \$30,000 would be required in the budget for the financial year 1970. However, if it is decided to issue the publication in four languages, namely English, French, Russian and Spanish, it is estimated that the total cost would amount to \$85,000.

106. The CHAIRMAN: I now put the draft consensus to the Committee. Is there any objection to its adoption?

107. Mr. ROSHCHIN (Union of Soviet Socialist Republics) (*translated from Russian*): When the first edition of this publication was brought out, the First Committee did not consider the matter, which was decided by the Secretary-General. Now that there is some thought of bringing out an updated edition, an attempt is made to seek the endorsement of the First Committee.

108. I see no need for this procedure. The question of issuing this publication should be decided as it was before, or the impression would be created that the First Committee holds the Secretary-General incompetent to decide the matter and that, while he did decide it independently the first time, without asking its advice, the First Committee now feels that it itself must take the decision. Doubt would thus be cast on the Secretary-General's power to consider and decide this matter.

109. After all, the Secretary-General has not informed us of his views on the matter. We do not know how much need there is for the publication, how many copies would be published, or what the demand for it might be. I do not think it advisable for the First Committee to decide the question without having any of that information.

110. The First Committee has many important items of its own to deal with, items bearing on the solution of major disarmament problems. I do not think it wise for us to consider a relatively minor administrative matter, particularly since that would cast doubt on the Secretary-General's power to decide such matters.

111. Mr. BENITES (Ecuador) (*translated from Spanish*): The Secretary of the Committee has referred us to rule 154 of the rules of procedure, which deals with resolutions that are to be sent to the General Assembly. That rule reads as follows: "No resolution involving expenditure shall be recommended by a committee for approval by the General Assembly unless it is accompanied by an estimate of expenditures prepared by the Secretary-General." I should like to know whether it is intended to send this consensus to the Assembly, because otherwise as far as I can see there was no need to refer to rule 154.

112. The CHAIRMAN: With reference to the question raised by the representative of Ecuador, if the Committee should accept the proposal, it will be reported to the General Assembly in the report of the Rapporteur, and presumably the Assembly will take note of it, in which case I understand it becomes a decision.

113. The representative of the USSR, if I understood him correctly, has a reservation concerning the adoption of the

consensus as proposed, but I do not think there is any objection.

114. Mr. BENITES (Ecuador) (*translated from Spanish*): This does not mean that my delegation is opposed to the consensus, but I should like to state that, for the same reasons as those just given by the representative of the Soviet Union, my delegation considers that it should refrain from expressing any opinion. This, of course, does not affect the consensus.

115. The CHAIRMAN: I take it that the Committee has no objection to the adoption of the proposed draft consensus as read out by me, subject to any reservations that any particular delegation may entertain.

*It was so decided.*

116. The CHAIRMAN: I shall now give the floor to any representative who wishes to explain his vote.

117. Mr. ANISHCHUK (Byelorussian Soviet Socialist Republic) (*translated from Russian*): I should like briefly to explain my delegation's votes on the draft resolutions relating to the question of general and complete disarmament.

118. My delegation voted for the amendment [A/C.1/L.501] submitted by Canada, Hungary, the Netherlands, Poland and the United Kingdom, by the adoption of which the Committee would have approved a positive recommendation relating to the negotiations between the USSR and United States representatives at Helsinki. In its amended form, the resolution would have said in the preamble that the General Assembly was

*"Noting with satisfaction that, on 17 November 1969, the Governments of the Union of Soviet Socialist Republics and the United States of America initiated bilateral negotiations on the limitations of offensive and defensive strategic nuclear-weapon systems",*

while the operative part would have read:

*"1. Expresses its sincere hope that these talks will, in due course, lead to substantial agreements on the limitation and subsequent reduction of strategic armaments;*

*"2. Calls upon the Union of Soviet Socialist Republics and the United States of America to refrain from any action which might be prejudicial to the achievement of this aim."*

That wording, unlike the text of the resolution that has been adopted, might have facilitated the Helsinki negotiations.

119. Regrettably, this amendment did not receive enough votes, so that my delegation was compelled to abstain on draft resolution A/C.1/L.490 and Add.1 and 2 dealing with USSR-United States negotiations at Helsinki, since the resolution as adopted is more likely to hinder the negotiations than to help them.

120. Further, my delegation deeply regrets that the delegation of Malta, despite the appeals of a number of

delegations, failed to withdraw its draft resolutions, whose sole purpose is to divert the Committee on Disarmament from the consideration of truly important and urgent disarmament question and cause it to consider subjects which are still in the realm of science fiction.

121. My delegation was accordingly unable to support these draft resolutions and abstained in the vote on them.

122. As to the draft resolution of Ireland, Italy and Japan [A/C.1/L.499] as amended, my delegation was compelled to abstain for the following reasons.

123. That resolution fails to take into account many important aspects of the question of general and complete disarmament, as also of a number of other proposals for partial measures aimed at limiting the arms race and bringing about disarmament. It contains an unnecessary repetition and introduces the odd procedure of reaffirming part of a resolution adopted by the General Assembly at this very session. The effect is to cast doubt on other and highly important decisions contained in the General Assembly resolution on the celebration of the twenty-fifth anniversary of the United Nations.

124. Moreover, and most importantly, this draft resolution, by introducing the subject of a disarmament decade, would on the one hand have permitted the solution of disarmament questions to be postponed until the late seventies and, on the other, might have given rise to unfounded optimism and relaxation in the course of the disarmament negotiations. The provisions of this draft resolution may serve as a pretext for elaborating various general programmes and schedules for their realization instead of proceeding to a practical solution of the urgent disarmament problems calling for immediate action.

125. Operative paragraph 6 of this draft resolution soothes the developing countries by promising them resources which cannot be freed by drawing up programmes and schedules, but which can be released for the good of all peoples only via the realization of effective measures for general and complete disarmament.

126. My delegation supported the draft resolution submitted by Canada, Ecuador, Iran, Mexico and Nigeria [A/C.1/L.495/Rev.1], because it constitutes a reply to the unfounded criticisms by some speakers leveled at the Co-Chairmen of the Committee on Disarmament in connexion with the enlargement of its membership and with its methods of work.

127. Mr. BOGDAN (Romania): With your permission, Mr. Chairman, I should like to explain briefly the vote of my delegation on the draft resolution submitted by Ireland, Italy and Japan [A/C.1/L.499]. It is well known to the members of the Committee that the idea of a Disarmament Decade as a means of giving a new impetus to the efforts leading to genuine measures of disarmament, to nuclear disarmament and finally to our goal of general disarmament, has been advocated by the Romanian delegation for a long time.

128. We are gratified that this idea received wide support as expressed in the call of our distinguished Secretary-

General and in the vote we have just taken, in which there was no opposition.

129. In our opinion, the content of the Disarmament Decade should consist of two main ideas: one a comprehensive programme which could embrace all aspects of disarmament, including short-term and long-range actions that would be able to stimulate the political will of the States and to open a vast vista for the disarmament talks, bringing us closer to our final goal of general disarmament.

130. Second, a relationship between the Disarmament Decade and the Development Decade, in order to make sure that the burning question of disarmament is placed, along with development, in the forefront of the preoccupations of the world community in the years ahead.

131. Although we should have preferred a different wording in some parts of the draft resolution, we felt that this draft resolution presented by Ireland, Italy and Japan contained these main ideas and would give us the opportunity to promote them, both within and without the United Nations. Therefore, in a spirit of compromise and in order to obtain wide support for this draft resolution, we decided to vote for it and not to press for our own text.

132. Mr. DEJAMMET (France) (*translated from French*): My delegation wishes briefly to explain its vote on the different draft resolutions before the Committee.

133. First, as regards draft resolution A/C.1/L.490 and Add.1 and 2, in the course of the general debate my delegation stated that it welcomed the announcement of the initiation of the Helsinki talks. Obviously, we can only hope that these talks will bear fruit and we favour any appeal to the United States and the Soviet Union to refrain from any action which might jeopardize that objective. An amendment [A/C.1/L.501] to that effect had been submitted. My delegation abstained on the draft resolution as a whole because that amendment had been rejected.

134. My delegation voted for the draft resolutions A/C.1/L.493/Rev.1 and A/C.1/L.494/Rev.1 submitted by Malta in order to demonstrate that it shared their author's concern. Nevertheless, it does not endorse the procedure recommended in those two texts. It would have been preferable, if only for the sake of efficiency, to ask experts—as had been provided in the first version of the draft on the military uses of lasers—to undertake the study of problems whose technical aspects have not been fully explored and which, in my view, cannot be properly dealt with by an international body at this stage.

135. France, for its part, reserves the right to state its views on these problems when and as it may deem appropriate.

136. Lastly, my delegation's abstention on draft resolution A/C.1/L.499, submitted by Ireland, Italy and Japan, did not mean disapproval in principle of the disarmament decade. However, since no true disarmament measures have been taken as yet, we would not sanction by a favourable vote the procedures followed since 1962.

137. Mr. PILAVACHI (Greece): I wish to explain the vote of my delegation on draft resolutions A/C.1/L.493/Rev.1

and A/C.1/L.494/Rev.1 submitted by Malta. My delegation abstained from voting on both of these draft resolutions for a very simple reason. We are not in a position, in such a short time, to form an opinion on such delicate technical matters.

### AGENDA ITEM 104

**Question of chemical and bacteriological (biological) weapons (continued)\* (A/C.1/988, A/C.1/989, A/C.1/991; A/C.1/L.487 and Add.1, A/C.1/L.488, A/C.1/L.489 and Add.1-2, A/C.1/L.491 and Add.1, A/C.1/L.498, A/C.1/L.500 and Add.1):**

- (a) **Report of the Conference of the Committee on Disarmament (A/7741-DC/232);**
- (b) **Conclusion of a convention on the prohibition of the development, production and stockpiling of chemical and bacteriological (biological) weapons and on the destruction of such weapons (A/7655);**
- (c) **Report of the Secretary-General (A/7575)**

### CONSIDERATION OF THE DRAFT RESOLUTIONS

138. The CHAIRMAN: The Committee has concluded consideration of the proposals before it in connexion with item 29.

139. Of course, I am conscious that the Committee would wish to take up annex A to the report of the Conference of the Committee on Disarmament in document A/7741-DC/232,<sup>5</sup> which is the draft sea-bed denuclearization treaty, at a later stage. Therefore, I now invite the Committee to proceed to a consideration of item 104 on the question of chemical and bacteriological (biological) weapons. In this connexion the following draft resolutions have been circulated to the Committee: A/C.1/L.487 and Add.1, A/C.1/L.488, A/C.1/L.489 and Add.1-2, A/C.1/L.491 and Add.1, A/C.1/L.498 and A/C.1/L.500 and Add.1. It is my understanding that draft resolutions A/C.1/L.487 and Add.1, A/C.1/L.488 and A/C.1/L.491 and Add.1 have been withdrawn by their respective co-sponsors in favour of the draft resolution in A/C.1/L.500 and Add.1. I should be grateful to have a confirmation of this understanding from the co-sponsors concerned. I call on the representative of Canada.

140. Mr. IGNATIEFF (Canada): I am happy to confirm that, as a result of negotiations among the sponsors of draft resolutions A/C.1/L.487 and Add.1, A/C.1/L.488, A/C.1/L.491 and Add.1, what I call a mutually acceptable marriage was arranged as a result of which a common draft has been agreed upon and submitted now in the name of the following co-sponsors, whose names I will read out in case I have left any out: Austria, Australia, Belgium, Brazil, Bulgaria, Byelorussian SSR, Canada, Chad, Cyprus, Czechoslovakia, Ghana, Hungary, India, Jamaica, Liberia, Mali, Mexico, Mongolia, Netherlands, New Zealand, Nigeria, Pakistan, Poland, Romania, Sweden, Uganda, Ukrainian SSR, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland and United States of

America. I think that makes thirty; I hope that my calculation is correct.

141. The Canadian delegation, for its part, welcomes that draft as a carefully balanced basis for the negotiations which are to be undertaken in the Conference of the Committee on Disarmament in 1970, taking into account, as the merged draft says, both the draft Convention submitted by the socialist States and the draft Convention submitted by the United Kingdom, as well as any other relevant proposals—I leave it to other delegations to suggest what those may be—and directed towards reaching agreement on the prohibition of chemical and bacteriological (biological) methods of warfare.

142. The merged draft resolution also, in our view, makes appropriate reference to the report of the Secretary-General on chemical and bacteriological (biological) warfare,<sup>6</sup> expressing a well-deserved appreciation for the excellent work done. In this connexion I should particularly like to express the appreciation of my delegation for the work done by Mr. Epstein, who presided over the meetings of the Committee of International Experts, and the other members of the Secretariat who were involved in the production of the Secretary-General's report.

143. The draft resolution recommends the widest possible distribution of that report and also recommends that it serve as a basis for the further consideration of chemical and bacteriological (biological) warfare by the Conference of the Committee on Disarmament.

144. While I am speaking, I should like to comment briefly on the other texts to which the Chairman referred. With respect to the draft resolution contained in document A/C.1/L.489 and Add.1 and 2 as I understand it, the essence of that draft is, in our view, an endeavour to (a) lay down an authoritative interpretation of the Geneva Protocol of 1925,<sup>7</sup> and (b) purport to declare that this interpretation is a generally recognized rule of international law. We realize, of course, that the question of interpretation owes its origin to ambiguity in the Geneva Protocol of 1925, as well as in the treaties and conventions regulating chemical and bacteriological (biological) warfare. We recognize and appreciate the endeavours of Sweden and other delegations to take positive steps to strengthen the Protocol, but we are concerned whether the procedure they have adopted is an appropriate one under international law.

145. The question now before the Committee seems to us to be whether the United Nations General Assembly should attempt to legislate an interpretation of the Geneva Protocol as proposed in the draft resolution contained in document A/C.1/L.489 and Add.1 and 2. The United Nations declarations, such as the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies, intended to be authoritative statements of norms of customary international law, should surely be adopted only

<sup>6</sup> *Chemical and Bacteriological (Biological) Weapons and the Effects of Their Possible Use* (United Nations publication, Sales No. E.69.1.24).

<sup>7</sup> 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.

\* Resumed from the 1711th meeting.

<sup>5</sup> *Official Records of the Disarmament Commission, Supplement for 1969*, document DC/232.



by consensus. Otherwise opposition, particularly on the part of any party, throws doubt on the validity of the Treaty and calls into question its applicability to the international agreement in question.

146. Where a doubt exists, as it does in this case, surely the course of prudence is to develop a consensus through negotiation, building upon the firm foundation of the Geneva Protocol. The United States of America has announced its intention to seek adherence and other major Powers are either already parties to it or hopefully will soon become so. It would, in our view, be an undesirable complication to seek to interpret the Protocol, to which the widest possible adherence is being sought, at the very moment when a major Power known not to agree with that interpretation has expressed its intention to ratify the Geneva Protocol. I should add that another major Power that has adhered to the Protocol has not made known its attitude on the question of the interpretation proposed, and because it is not at present a member of the United Nations, has no opportunity to influence the declaration in draft resolution A/C.1/L.489 and Add.1 and 2.

147. We have difficulty on other points of law involved in that draft resolution. At the time of its ratification of the Geneva Protocol, Canada attached two reservations. The first Canadian reservation stated that the Protocol was binding only as a first-use prohibition among parties, and the second reservation stated that for Canada the prohibition set out in the Protocol applied only as between parties. Similar reservations were made by many other parties to the Protocol. The wording of the draft resolution before us is such that, in effect, it would declare the reservations made by parties to the Protocol as being of no effect under international law. It is our view that changes in or nullification of reservations should not be attempted through a General Assembly resolution, but should be a matter of negotiation and decision for those parties to the instrument that have recorded reservations. The United Nations has demonstrated remarkable codification ability in recent years, and these highly sophisticated techniques should not, in our view, be by-passed in a matter of this importance.

148. The question as to whether the Geneva Protocol applies to international armed conflicts when the words "use in war" are contained in the instrument also, in our view, deserves further study.

149. For those reasons we shall have to abstain from voting on the draft resolution contained in document A/C.1/L.489 and Add.1 and 2 and on a similar draft resolution put forward by the delegation of Italy [A/C.1/L.498].

150. The CHAIRMAN: In view of what the representative of Canada said at the beginning of his statement, there are now only three draft resolutions before the Committee, namely, those contained in documents A/C.1/L.489 and Add.1 and 2, A/C.1/L.498 and A/C.1/L.500 and Add.1.

151. Mr. VINCI (Italy): Mr. Chairman, I apologize to you and to all members of the Committee for speaking again, but I thought it would speed up the work of our Committee if I introduced and explained the draft resolu-

tion submitted by the Italian delegation in document A/C.1/L.498, dealing with the question of chemical and bacteriological (biological) weapons.

152. The extensive debates which have taken place on this subject in the First Committee during the last three weeks show a certain amount of ambiguity caused by the interplay of two factors: on the one hand, the existence of a universal feeling of abhorrence for the possible use of chemical and bacteriological (biological) weapons and the consequent tendency to ban and eliminate them; on the other hand, the juridical-technical complexities involved in any attempt to codify in strict terms a general rule of conduct in this field.

153. Following one or the other way of thinking, two different kinds of measures can be envisaged: measures of non-use, or measures of non-production.

154. Many delegations have brought to the work of the Committee a very valuable contribution by putting forward proposals concerning mainly the first or the second kind of measures.

155. The Italian delegation completely shares the intent and the objective of those proposals, which respond generously to a genuine movement of public opinion in many countries rejecting the danger of chemical and biological warfare. We have to bear in mind in this respect that public opinion has been rightly alerted to this danger by the report of the Secretary-General of last July which has, no doubt, marked a milestone in the discussion and consideration of this problem.

156. While we share the concern of all those who request some action now, one which will not disappoint the expectations of our peoples, at the same time we are convinced that it would not be wise, at this stage of our work, to aim too far and have this complex problem settled now, once and for all. Being too ambitious sometimes can become counter-productive. Here again, as well as on the question on general and complete disarmament, my delegation believes that we should move forward all together, step by step. Thus we might achieve effectively tomorrow what is out of reach today.

157. Now as far as the ban on production and stockpiling is concerned, we naturally share the unanimous view that the only possible procedure that can be followed is that of transmitting to the Conference of the Committee on Disarmament the two draft conventions which have been submitted by the United Kingdom Government [A/7741-DC/232, annex C, section 20] and by the Government of the Soviet Union and other Eastern European countries and Mongolia [A/7655].

158. On the basis of those two very valuable contributions, the Geneva Conference will be able, we trust, to make progress in its future sessions and report back to the General Assembly next year, especially if the new merged text which the representative of Canada has now referred to is adopted by this Committee and by the General Assembly, as we hope it will be.

159. The other problem concerning the "non-use" of chemical and bacteriological (biological) weapons is in a

way much easier. But precisely because it is an easier problem, we have to be careful to tackle it in such a way so as not to create new difficulties and obstacles by the very eagerness and impulsiveness of our action.

160. Rather than immediately trying to achieve sweeping and final results on a not-universally-accepted basis, we think, in fact, that we should proceed gradually by strengthening and building on what exists and is questioned by no one. I refer to the Geneva Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases and of Bacteriological Methods of Warfare, the value of which has received widespread recognition during the present debate.

161. In the mind of the Italian delegation, our first objective should be to strengthen the effectiveness of that very important instrument.

162. I wish to stress in this connexion that we were extremely gratified a few days ago to hear President Nixon state that the United States intends to start the ratification process of the Geneva Protocol and to reaffirm the principle of no first use of chemical or bacteriological weapons as a cornerstone of the policy of the United States Government in this field. That statement will provide a very helpful contribution to our work.

163. The Geneva Protocol has been signed and ratified so far by less than half the Member States of the United Nations. That number is still insufficient. In fact, as is suggested in the very simple and brief operative part of the draft resolution which I have the honour to introduce [A/C.1/L.498], the best course of action we could now take would be two-fold: first of all, to make a renewed appeal to all States to accede to the Geneva Protocol; secondly, to consider that in the meantime, that is before all States have acceded, the prohibition contained in the Protocol applies vis-à-vis all countries which refrain from infringing the provisions of the Protocol.

164. This should not be interpreted as a gratuitous prize for non-signatories. On the contrary, it should be understood as a gesture, a gesture to encourage the largest number of States to accede to the Geneva Protocol, by stressing as of now the universal scope of its provisions on the basis of the principle of no first use, which in fact none of the parties to the Protocol rejects and which has had the widest acclaim during the course of the present debate.

165. We want to strengthen the Geneva Protocol, and we want to strengthen it by securing universal accession to it, so that it may become the fundamental international instrument codifying the ban on chemical and bacteriological (biological) weapons. A first positive and effective step in that direction is represented, in our mind, by the very simple provision contained in the draft resolution I am presenting to the Committee. I hope that the members of the Committee will consider it in that light. It does not pretend to be more or less than one step forward, but it would be one sure step.

166. Mr. SHAW (Australia): I wish to explain the negative vote which will be cast by the Australian delegation on the draft resolution contained in document A/C.1/L.489 and Add.1 and 2.

167. I would say at the outset that the Australian Government has been consistent in its opposition to chemical and biological warfare and in its support for efforts to negotiate, with the minimum of delay, effective and verifiable forms of international control over such agents.

168. The Australian Government approaches its consideration of the whole question of chemical, bacteriological and biological weapons as a party to the Geneva Protocol of 1925, which Australia ratified in 1930. We consider that we have acted at all times in accordance with the provisions of the Geneva Protocol.

169. In disarmament discussions in recent years Australian delegations have consistently supported the need for a detailed review of all aspects of chemical, bacteriological and biological weapons. The report prepared by the experts appointed by the Secretary-General<sup>8</sup> provides what we consider to be a useful basis for such a review. It describes in detail the new range of agents which have been developed as a result of the advance of science in the years since the negotiation of the Geneva Protocol. We believe that our objective of control over the use of those agents should best be pursued by seeking to define the threshold at which control can be put into force and by defining effective and acceptable means of verification.

170. To that end, further informed and detailed consideration of all aspects of chemical and bacteriological warfare is necessary. In my statement before this Committee on 28 November [1704th meeting], I set out in some detail our views on the ways in which the Conference of the Committee on Disarmament might take up all these related issues at its meetings next year. The adoption of the draft resolution contained in document A/C.1/L.500 and Add.1, sponsored by Australia and others, to which reference has just been made by the representative of Canada, would in our view be the most promising and indeed the only course which the General Assembly should take on this question at this time. The Conference of the Committee on Disarmament is the most appropriate forum, and amongst other things it should consider where the Geneva Protocol should fit into whatever system of controls should be agreed upon as necessary.

171. It is with those objectives in mind that the Australian delegation examined the proposals contained in document A/C.1/L.489 and Add.1 and 2. The Australian delegation has objections to the propositions contained in this document, both for constitutional reasons and for considerations of substance. We also have grave misgivings about the procedural wisdom of acting in the way proposed.

172. First let me state our constitutional position. In brief, we would regard the adoption of the proposal in document A/C.1/L.489 and Add.1 and 2 as outside the General Assembly's mandate under Article 13 of the Charter. What the proposed resolution in document A/C.1/L.489 and Add.1 and 2 would do, on the basis of the fifth

<sup>8</sup> *Chemical and Bacteriological (Biological) Weapons and the Effects of Their Possible Use* (United Nations publication, Sales No. E.69.I.24).

preambular paragraph, would be to declare that there are generally recognized rules of international law which prohibit certain methods of warfare; that those rules are embodied in the Geneva Protocol; and that accordingly certain stated practices are contrary to the asserted rules.

173. We believe that a declaration in such terms could hardly be accepted as a recommendation "for the . . . progressive development of international law and its codification" as prescribed in Article 13 of the Charter, nor for that matter as a "recommendation" with regard to "the principles governing disarmament and the regulation of armaments" as prescribed in Article 11 of the Charter.

174. Indeed, the draft resolution if adopted, would in our view run counter to the General Assembly's mandate in substance as well as in form. The resolution would purport to recognize "that the Geneva Protocol embodies . . . rules of international law" which in the terms of the draft depart from the prohibitions of the Protocol itself. The draft goes on to declare that certain uses of chemical and biological agents are contrary to rules as asserted by the General Assembly itself. In other words, the resolution would purport to recognize that the Geneva Protocol has an interpretation—that is to say, a scope and effect—which not only departs from its wording, but which is expressly denied by some of the parties to it.

175. The fourth preambular paragraph of the draft resolution properly recites that some States without becoming parties to the Protocol "have declared that they will abide by its principles and objectives". It is also proper to recite, as that paragraph does, that the General Assembly without dissent "has called for the strict observance by all States of the principles and objectives of the Geneva Protocol. But we consider that it would be a very disputable proposition to infer from this that the principles and objectives of the Protocol are to be treated as having been generally accepted as law so as to become legally binding on all States, whether parties to the Protocol or not.

176. The draft resolution in document A/C.1/L.489 and Add.1 and 2 departs from the terms of the Geneva Protocol. Where the Geneva Protocol speaks of "the use in war", the draft resolution employs the words "the use in international armed conflicts". I shall not examine here the reasons which might lie behind this attempted rewording of the Protocol. The draft resolution would also replace the term "asphyxiating, poisonous or other gases" as used in the Geneva Protocol by the words "any chemical agents of warfare . . . and any biological agents of warfare", which are then enumerated.

177. In our view it is for the parties to a treaty or protocol to determine what it means, and to agree, if they so desire, to redefinitions and interpretations of the terms of such legal instruments. I would remark that votes on the draft resolution now before this Committee would include those of a large number of Member States who are not parties to the Geneva Protocol.

178. A further constitutional objection to the draft resolution is that it takes no account of the reservations of many parties which were recorded at the time of their accession to the Protocol. The accession of Australia in

January 1930 was subject to reservations, including one that its obligations under the treaty would cease in respect of armed forces which did not respect the Protocol. The draft in document A/C.1/L.489 and Add.1 and 2, by ignoring such reservations attempts to interpret the Protocol in a different sense.

179. Again we wish to state our view that international conventions cannot be altered or interpreted simply by the passage of resolutions by the General Assembly. The passage of quasi-legal resolutions by the General Assembly, even by substantial majorities, does not necessarily state international law. Such resolutions may serve merely to underline the extent of disagreement about what international law is in some particular field. If the resolution in document A/C.1/L.489 and Add.1 and 2 is to be adopted, then in our view the negative votes and the abstentions of a significant body of opinion in the General Assembly would mean that the declaration would not have the legal effect which is sought by its co-sponsors.

180. I turn now to our objections of substance. The draft resolution would declare as contrary to the Geneva Protocol "any chemical agents of warfare" with "direct toxic effects on man, animals or plants". It is the view of the Australian Government that the use of non-lethal substances such as riot control agents, herbicides and defoliants does not contravene the Geneva Protocol nor customary international law. There are a number of such substances which are widely used throughout the world and which have important civilian applications. It is difficult to accept that agents which are employed by civilian police forces, as well as by the armed forces in many Member States, are "contrary to the generally recognized rules of international law". The correct course, we submit, to follow is to ask the Conference of the Committee on Disarmament in its search for prohibition and control to start with what are readily identifiable deadly agents.

181. In addition to our constitutional and our substantive objections, the Australian delegation believes that the passage of the draft resolution in document A/C.1/L.489 and Add.1 and 2 would be procedurally harmful. Australia, as a party to the Geneva Protocol, wishes to see that instrument sustained and built upon by the accession of States which are at present not parties to it. We have been told—and we must accept it—that the accession of one major Power, which would be of great significance, could be made more difficult if the General Assembly declared itself in the form required by this draft resolution. Similar difficulties might also be experienced by other potential adherents to the Protocol. The General Assembly should not take action which would have the effect of hindering the wider acceptance of the Geneva Protocol.

182. It is on account of these various considerations, constitutional, substantive and procedural, that the Australian delegation will vote against the resolution in document A/C.1/L.489 and Add.1 and 2.

183. Mr. ASTRÖM (Sweden): I would like to say a few words by way of introduction of the draft resolution in A/C.1/L.489 and Add.1 and 2 which contains a draft declaration by the General Assembly regarding the prohibition of the use in international conflicts of chemical and

biological means of warfare. We believe that that question has to be seen in its proper historical perspective.

184. In 1966 the General Assembly adopted a resolution which recommended Governments to adhere to the Geneva Protocol of 1925 [*resolution 2162 B (XXI)*] and, furthermore, recommended Governments to observe the objectives and the principles of the Protocol. Thereafter, in 1968, the General Assembly decided to entrust to the Secretary-General the task of appointing a group of experts regarding the effects of biological and chemical means of warfare.

185. The group, as pointed out by the Secretary-General, has presented a unanimous report<sup>9</sup> which gives a full and clear picture of the effects of the use of chemical and biological means of warfare. When this report was presented and published, it was accompanied by a foreword by the Secretary-General containing some recommendations. One recommendation of the Secretary-General was that Member States should:

“...make a clear affirmation that the prohibition contained in the Geneva Protocol applies to the use in war of all chemical, bacteriological and biological agents (including tear gas and other harassing agents), which now exist or which may be developed in the future”.

186. That recommendation was dealt with by twelve of the members of the Committee on Disarmament in Geneva, called the non-aligned members of that Committee, last summer and the draft resolution now contained in document A/C.1/L.489 and Add.1 and 2 represents a slightly modified version of their original proposal which is contained in document ENDC/265 [A/7741-DC/232, *annex C, section 30*], which is part of the total report of the Committee to the General Assembly.

187. The draft declaration, we note, has obtained wide support in this Committee during the general debate. As it now stands it has twenty co-sponsors. There has been some criticism of the draft resolution in the course of the debate and again today, and I should like to deal briefly with some of the questions raised.

188. Let me first deal with the legal argument that it is not proper for the General Assembly to interpret the Geneva Protocol of 1925. With regard to that argument I should like to say that the draft resolution does not interpret the Protocol *per se* but rather expresses the generally recognized rules of international law which have emerged in the matter. In large part, these have resulted from the impact of the Protocol and may even be taken to have the same scope as the Protocol, but they have emerged not exclusively as a result of the Protocol, but also from other sources of international law, for instance agreements, State practice and the weight of doctrine.

189. May I draw the attention of delegations to the fact that the draft resolution in its operative part expressly refers to the generally recognized rules of international law as embodied in the Geneva Protocol. What I have now said seems also to meet the objections which are based on the fact of reservations by some signatories of the Geneva

Protocol. It is entirely proper in our view for the General Assembly to affirm and to seek to clarify generally recognized rules of international law. The methods employed for that purpose may be different. The adoption of a resolution is the method which was used to affirm the Nuremberg principles, which were also originally embodied in a treaty between individual States.

190. The draft resolution now before us will, of course, not in itself bind the States more than any other United Nations resolution. It is, in the first instance, an expression of opinion by the Members who vote for it. If a consensus were to be attained, the position that would thus be expressed would be most authoritatively established. Even if the draft resolution were to be adopted by less than a consensus, the uncertainty expressed as regards the scope of the prohibition of chemical and biological means of warfare could, nevertheless, later become universally settled if States which were not able now to cast positive votes were, upon further study and further consideration, to rally to the majority view.

191. It has been suggested that voting on the draft resolution should be deferred until a consensus arises. Let me remind the Committee once again that the draft resolution is a response to an appeal made this year by the Secretary-General. The appeal was urgent and we believe that the question of a reply to it is equally urgent. There are indeed serious dangers inherent in the present situation, where a more restrictive interpretation has been advanced of the prohibition of chemical means of warfare in particular. There is a danger that this conflict of interpretation might lead, in any war, to escalation through retaliation. There is, further, the acute risk that the restrictive interpretation, once it has been advanced, may gain ground unless it is promptly met by strong and manifest support for the comprehensive interpretation. The present draft resolution is a way of channelling the broad support that is believed to exist for the comprehensive interpretation into manifest form. It seeks to uphold the gains that have been made through the adoption of the Geneva Protocol and the emergence of the generally recognized rules on the matter and to prevent any erosion from taking place.

192. The aim of the draft resolution is thus essentially that of protecting the existing, as we see it, comprehensive prohibition of biological and chemical means of warfare from being undermined and eroded. Its aim is not to condemn any restrictive view that may have been taken in good faith. Indeed, it openly records that some uncertainty has existed which needs to be dispelled. It avoids political controversy.

193. It has been further stated that the assertion of the comprehensiveness of the prohibition contained in the draft resolution is erroneous. We feel that we demonstrated in the first statement by Mrs. Alva Myrdal of the Swedish delegation, at the 1695th meeting of the Committee, on 20 November, that in the decade following the adoption of the Geneva Protocol, States did not doubt the comprehensive nature of the ban. The doctrine overwhelmingly supports that interpretation. It is true that rules which are generally recognized as valid can be unrecognized through words and action. However, international law and the international community would be in grave danger if rules could be

<sup>9</sup> *Ibid.*



rescinded by the change of mind of one or a few States. Unless there is general support for, or acquiescence in, the abrogation, revision or new interpretation of a rule, it remains. The adoption of the present draft resolution, we feel, will ensure that no acquiescence is taken to have occurred in a restrictive interpretation of the prohibition of chemical and biological means of warfare.

194. Some of the objections go back to the fact that the Geneva Protocol is not a perfect prohibitory instrument. It has attached to it, for instance, a number of reservations by States which have ratified it. But as I stated in the beginning, the draft declaration speaks not only of the prohibition contained in the Geneva Protocol, but in particular of the generally recognized rules of international law which, as I said, comprise other international instruments, State practice and the opinion of established legal experts, that is, doctrine.

195. It has also been said that, in any case, the prohibitory rule could not cover anti-plant agents as they were not known in 1925, and that when they were discussed in the General Commission of the Geneva Disarmament Conference of 1933 it was only sought to prohibit the use of anti-plant chemical agents which also were harmful to man or animals.

196. We maintain that the indiscriminate use of anti-plant agents in armed conflict runs counter to the generally recognized rules of international law. No real scientific investigation has been made, as far as we know, of the long-term effects of anti-plant agents. I wish, in this context, to draw the attention of delegations to the report issued on 21 November 1969 by the World Health Organization at Geneva expressing the view of an eminent group of consultants to the World Health Organization on the health effects of possible use of chemical and biological weapons. In its chapter on anti-plant agents it is stated:

"In this connexion it must be borne in mind that the military employment of anti-plant chemicals may lead to their intake, by humans, in water and food, in dosages far higher than those experienced when the same chemicals are used for agricultural and other purposes."<sup>10</sup>

197. It is further mentioned in the report that a preliminary laboratory study with one of the anti-plant agents being used showed that offspring of mice and rats that had been fed with it had a higher number of deformities than expected.

198. I submit, therefore, that the assertion of the comprehensiveness of the existing prohibition against the use of chemical and biological means of warfare is an important and urgent matter and I express the hope that delegations will vote for the draft resolution contained in document A/C.1/L.489 and Add.1 and 2. We hope that it will be adopted by a large majority in such a way that it will become a meaningful manifestation of international opinion.

199. Mr. DEJAMMET (France) (*translated from French*): My delegation wishes to give a brief explanation of its vote

<sup>10</sup> World Health Organization, *Health Aspects of Chemical and Biological Weapons* (Geneva, 1970), p. 57.

on the draft resolutions on biological and chemical weapons.

200. Generally speaking, its attitude is conditioned by the desire to safeguard the authority of the Geneva Protocol, of which France is the depositary. I would also mention that France favours prohibition of the manufacture and stockpiling of chemical and biological weapons, as well as of their use, obviously accompanied by the establishment of an effective control system.

201. That being so, our position on the draft resolutions before us is as follows.

202. As to draft resolution A/C.1/L.489 and Add.1 and 2, my delegation confirms that, through the intermediary of Mr. Boncour at Geneva in 1925 and again during preparations for the 1932 Conference for the Reduction and Limitation of Armaments, France made it clear that, in its view, the 1925 Protocol had a very general scope of application. France maintains that position. However, France has always consistently maintained that the 1925 text left no room for doubt on that point. For that very reason, my delegation does not think that it is for the General Assembly to interpret an international convention as it is asked to do in the draft resolution. Hence, although it is in agreement with the substance of the draft resolution, my delegation will have to abstain on it.

203. Draft resolution A/C.1/L.498, submitted by Italy, would give rise to no objections on our part if we did not think it unrealistic in the same text to recommend accession to the 1925 Protocol and to make such accession virtually useless by extending the protection of the Protocol to States not parties to it, provided merely that they do not violate its provisions. My delegation therefore has some doubts with regard to the draft resolution, but they are not strong enough to cause it to vote against that text.

204. Lastly, my delegation will vote for draft resolution A/C.1/L.500 and Add.1. However, while sections A and B of the operative part entirely meet with its approval, my delegation has some reservations with regard to section C. That section not only refers the matter to the Conference of the Committee on Disarmament—not, in our view, the organ best qualified to discuss a problem which concerns primarily the signatories of the 1925 Protocol—but it invites that Committee to reach agreement on the prohibition of the use of chemical and biological agents in warfare. For the overwhelming majority of Members of the United Nations, however, that objective has been fully attained by the Protocol. It is to be feared that section C of the resolution may introduce a regrettable ambiguity into the situation. Any progress that remains to be made with regard to chemical and biological weapons would be not to prohibit their use in warfare—a question that has already been resolved, provided that all States accede to the 1925 Protocol—but to prohibit their manufacture and stockpiling. France was the first to recommend such action in its reply to the USSR memorandum on disarmament dated 1 July 1968<sup>11</sup>.

<sup>11</sup> *Official Records of the General Assembly, Twenty-third Session, Annexes*, agenda items 27, 28, 29, 94 and 96, document A/7134.



205. The draft conventions mentioned in section C of the draft resolution do, in fact, deal with that aspect of the matter, but they hardly offer a satisfactory solution, since one of them ignores the need for effective control and the other deals only with biological weapons.

206. Consequently, in voting for this draft resolution my delegation wishes to reaffirm its continued condemnation of chemical and biological warfare, but does not thereby endorse a procedure which in its view is unlikely to yield the results rightly expected by the general public.

207. Lord CHALFONT (United Kingdom): I am grateful for this opportunity to prolong this meeting for just two or three minutes in order to say something on draft resolution A/C.1/L.500 and Add.1, which is now before us. I shall confine myself to that so that I may keep my remarks as brief as I can.

208. This draft resolution is the result of an agreement which has led to the withdrawal of draft resolutions A/C.1/L.487 and Add.1, A/C.1/L.488 and A/C.1/L.489 and Add.1 and as such my delegation has co-sponsored the draft. I should like to take this opportunity to express my appreciation to the delegations that have worked so hard to arrive at this accommodation which will give us the opportunity in Geneva to solve the complex problems of chemical and biological warfare, without prejudging in any way the conclusion of the negotiations. I should like, if I may, to express my appreciation particularly to the representative of Canada, Ambassador Ignatieff, who I know has worked unrelentingly towards the aim of getting before this Committee a draft resolution which will command the maximum support. We shall of course need to explore the whole subject in depth during the next session of the Conference on the Committee of Disarmament to get an acceptable agreement.

209. I wish to make only one other point. It follows the very important statement made recently by President Nixon of the United States on chemical and biological weapons. I should like to take this opportunity to restate very briefly the position of the British Government on

biological warfare. I think that it has been misunderstood. Indeed, I have been asked on more than one occasion since the President made his statement why the British Government does not make a similar unilateral declaration. The reason of course is that, as successive British Governments have made very clear, we have never had any biological weapons, we do not have any now and we have no intention of acquiring any. Similarly, our research in the field of biological warfare has always been confined to defensive measures, so that the question of a statement similar to that made by President Nixon obviously does not arise. We hope very much that other countries will be willing to co-operate in banishing these weapons and the fear of them from our planet for ever.

210. I shall look forward then to looking at these problems in the Conference on the Committee of Disarmament next year with my colleagues, and to examining the various proposals which have been made on this subject.

211. Before closing I might refer very briefly to the speech made by the representative of Bulgaria on 3 December at the 1711th meeting. I shall not attempt now, because of the hour, to reject in detail the familiar misunderstanding of our position which was contained in his intervention. I know him too well and respect him too much to believe that it was anything but a genuine misunderstanding. I tried to make it clear in my statement in this Committee on 19 November, at the 1694th meeting, that although we had originally suggested tackling biological weapons before chemical weapons, for reasons which then seemed to us to be sound, and I must confess they still seem to me to be sound, we did not wish to lose any more time in procedural wrangling about how we should go ahead. We are ready to fall in with the majority of the United Nations if their wish is to make a start on this problem by considering chemical and biological weapons at the same time. What is important in our view is that progress should be made during the coming year, and to that end we will continue to contribute as energetically as we can to the work of the Committee on Disarmament on this important subject.

*The meeting rose at 6.40 p.m.*