CONFERENCE OF THE EIGHTEEN-NATION COMMITTEE ON DISARMAMENT

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FINAL VERBATIM RECORD OF THE THREE HUNDRED AND THIRTY-SIXTH MEETING

held at the Palais des Nations, Geneva,
on Thursday, 5 October 1967, at 10.30 a.m.

Chairman: Mr. A. EDELSTAM (Sweden)

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PRESENT AT THE TABLE

Brazil:	Mr. S. de QUEIROZ DUARTE
	Mr. J. NOGUEIRA FILHO
Bulgaria:	Mr. K. CHRISTOV
	Mr. B. KONSTANTINOV
	Mr. T. DAMIANOV
Burma:	U MAUNG MAUNG
Canada:	Mr. E.L.M. BURNS
	Mr. A.G. CAMPBELL
	Mr. J.R. MORDEN
	Mr. A. BERNIER
Czechoslovakia:	Mr. P. WINKLER
	Mr. V. VAJNAR
	Mr. J. STRUCKA
Ethiopia:	Mr. A. ZELLEKE
	Mr. B. ASSFAW
India:	Mr. V.C. TRIVEDI
	Mr. N. KRISHNAN
	Mr. K.P. JAIN
Italy:	Mr. R. CARACCIOLO
	Mr. G.P. TOZZOLI
	Mr. E. FRANCO
	Mr. F. SORO
Mexico:	Mr. J. CASTAÑEDA
	Miss E. AGUIRRE
Nigeria:	Mr. B.O. TONWE

Poland:	Mr. M. BLUSZTAJN
	Mr. E. STANIEWSKI
Romania:	Mr. N. ECOBESCO
	Mr. O. IONESCO
	Mr. C. GEORGESCO
	Mr. A. COROIANU
Sweden:	Mr. A. EDELSTAM
	Mr. R. BOMAN
Union of Soviet Socialist Republics:	Mr. A.A. ROSHCHIN
	Mr. M.V. ANTYASOV
	Mr. V.V. SHUSTOV
United Arab Republic:	Mr. H. KHALLAF
	Mr. A. OSMAN
	Mr. O. SIRRY
	Mr. M. SHAKER
United Kingdom:	Mr. I.F. PORTER
	Mr. R.I.T. CROMARTIE
United States of America:	Mr. A.S. FISHER
	Mr. J.O. PASTORE
	Mr. S. DePALMA
	Mr. G. MURPHY
Special Representative of the Secretary-General:	Mr. D. PROTITCH
Deputy Special Representative of the Secretary-General:	Mr. W. EPSTEIN

1. The CHAIRMAN (Sweden): I declare open the 336th plenary meeting of the Conference of the Eighteen-Nation Committee on Disarmament.

2. Mr. BURNS (Canada): The Committee has now heard comments by a number of delegations on the drafts of a non-proliferation treaty presented by the United States and the Soviet Union (ENDC/192, 193). The Canadian delegation proposes to carry forward the discussion by commenting in turn on some of the suggestions that have been made, particularly suggestions for amendments or additions to the drafts. In our statement at the meeting of 12 September (ENDC/PV.329) we stated our general position in regard to the drafts we have before us. Perhaps we might say at the beginning of our statement today that we think that the articles which the co-Chairmen have worked out with such difficulty over such a prolonged period of time, and which, we think, have taken into account the views expressed by all members of the Committee, should not be disturbed unless there are very good reasons for doing so.

3. The general theme of our statement will be concerned with whether the drafts are consistent, to the maximum extent possible, with two of the principles set out in General Assembly resolution 2028 (XX), namely:

"(c) The treaty should be a step towards the achievement of general and complete disarmament and, more particularly, nuclear disarmament;"

and --

"(b) The treaty should embody an acceptable balance of mutual responsibilities and obligations of the nuclear and non-nuclear Powers" (ENDC/161)

4. Certain paragraphs of the preambles of documents ENDC/192 and ENDC/193 purport to set out the intention of the parties to honour the latter principle. Some of the delegations which have given their views on this point have felt that there should be a stronger commitment on the part of the nuclear Powers to achieve nuclear disarmament, or partial measures leading towards it.

5. The most specific proposal for amendment in that connexion is the one put forward by the representative of Mexico in his statement at our meeting of 19 September. I refer to the proposed article IV-C set out in document ENDC/196. In order to remind the Committee of what the Mexican delegation intended to achieve by that amendment, I shall read some extracts from his remarks at the meeting. The first extract is the following:

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"Furthermore, we are fully conscious of the obvious limits to the obligations which the nuclear Powers can assume in this respect in the present treaty. We are well aware, as we said in an earlier statement (ENDC/PV.304, para. 11) that to stipulate that the non-proliferation treaty should include specific disarmament measures to be implemented by the nuclear Powers in the immediate future, would be tantamount to opposing the very existence of a non-proliferation treaty. This fact is obvious and needs no proof or further comment." (ENDC/PV.331, para. 18)

6. The Canadian delegation is heartily in agreement with that statement, and we think that it expresses the opinion of the majority of the members of our Committee, if not of all.

7. Mr. Castañeda then explained:

"... the nuclear Powers cannot actually undertake to conclude future disarmament agreements among themselves; but they certainly can undertake to endeavour to do so; that is, they can certainly undertake to initiate and pursue negotiations in good faith in order to conclude such agreements. That is precisely the content we should like to give to this obligation, which should be written into the body of the treaty." (ibid., para. 19)

8. At this point the Canadian delegation wishes to say that it finds the language of the last five lines of the Mexican draft article IV-C to be clearer and more specific than the language of the preambular paragraphs in the draft treaties. It sets out four steps which should be taken by the nuclear Powers in the direction of nuclear disarmament; and it changes the language of the eleventh preambular paragraph of the present text so that adoption of some or all of the partial and preliminary measures specified would not appear to depend on reaching an agreement on general and complete disarmament. The Canadian delegation would be in favour of modifying the phrasing in the general sense of the Mexican delegation's proposal.

9. However, Mr. Castañeda also said about his proposed article: "it would be an imperfect obligation, since it would not be accompanied by sanctions." (ibid.) The Canadian delegation sees that as weakening the argument for a substantive article of such a character. The question may be put: is an obligation to negotiate for a certain purpose really better than a declaration of intention to achieve that purpose?

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The Canadian delegation is doubtful whether it is. However, if the nuclear Powers were prepared to agree to a substantive article on the lines of the article IV-C suggested by the Mexican delegation, Canada would have no objection.

10. We again emphasize that the Canadian delegation is of the firm opinion -- an opinion which we have stated previously -- that, if a treaty and the status of non-proliferation are to endure, the nuclear Powers must within the next few years halt the escalation of their stocks of nuclear weapons and the means of their delivery and begin to reduce their nuclear armouries. If that does not happen -- whatever may be put in the final treaty about obligations of nuclear Powers -- some of the States with the capacity to make nuclear weapons are going to decide "that extraordinary events, related to the subject matter of this treaty, have jeopardized the supreme interests" (ENDC/192, 193) of those countries, as stated in article VII on withdrawal.

11. In regard to the text proposed by the Mexican delegation to replace article IV of the draft, we are rather dubious about the expression "Those Parties that are in a position to do so, have the duty to contribute, according to their ability ..." (ENDC/196, p. 1). It seems that there might be varying interpretations of that wording. Is "duty" to be regarded as conveying the same sense as "obligation"? Would States with a developed nuclear technology be considered in default if they did not agree to any request from a less-developed State for assistance in developing a nuclear-energy project? While we appreciate the intention of the Mexican delegation to make article IV a more specific assurance to those countries which have not developed the utilization of nuclear energy that they will receive assistance to do so, we hope that language may be found which will be free of the implication of unrestricted obligation which we have criticized. Perhaps some such qualification as that proposed by the Mexican delegation in article IV-A, paragraph 2, should be applied to requests for assistance in nuclear technology other than that involving nuclear explosive devices.

12. The article IV-A suggested by Mexico translates the declaration of intention concerning peaceful nuclear explosions now expressed in the eighth preambular paragraph of the draft treaties into a substantive article. The Canadian delegation would favour this proposal, provided that the co-Chairmen can agree upon language.

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13. The Committee is embarking on the intensive examination of the various clauses of the draft treaties that have been presented to us by the co-Chairmen. If we are to do so effectively, we must fix our minds on what it is that the Committee is trying to accomplish in this negotiation and what our terms of reference are. What we are trying to do now in dealing with the non-proliferation problem is restricted within quite definite limits; and we should resist the temptation to link solution of the question to many other very important measures which we should like to see adopted as steps in the grand design of disarmament. If our years of negotiation in this Committee have taught us anything, they should have taught us that in the world as it unfortunately is today measures in the direction of disarmament have to be of limited scope; we cannot expect far-reaching measures to be negotiated soon.

14. Yet I think we can all agree that it is urgent that some agreement be reached in the realm of disarmament. If we in this Committee, and all nations concerned, do not show some progress and show it soon, the world will conclude that disarmament is a hopeless dream and that those who advocate that force does and should rule the world will triumph -- at least they will triumph until the world nuclear war which will inevitably come unless nuclear Powers and other States take the way of disarmament.

15. So what are the limits of what we should deal with in relation to non-proliferation? The latest resolution of the General Assembly on non-proliferation of nuclear weapons, 2153 (XXI), refers back to the earlier and much-quoted resolution under the same heading, 2028 (XX). This resolution, in its second substantive paragraph, calls upon this Conference "to reconvene as early as possible with a view to negotiating an international treaty to prevent the proliferation of nuclear weapons ...". The resolution then goes on to enumerate five principles on which the treaty should be based.

16. As I have said, much of the discussion we have heard in this Committee since the co-Chairmen presented their draft treaties has in essence related to the question of whether the drafts are in accordance with those principles. Unfortunately, the statement of those principles contains certain imprecise language. There is a lack of definition which, as all of us here with experience of the United Nations know, very often occurs in its resolutions because of the necessity of achieving compromise to enable any resolution to be passed. Frequently the wording can mean different things to different United Nations Members that have voted for it.

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17. I should like to quote now from the joint memorandum on non-proliferation of nuclear weapons submitted by the non-aligned members of this Committee in 1966, which states that --

"They wish to draw attention to the usefulness of clearly defined terms in order to prevent any misunderstanding or contradictory interpretation now or in the future". (ENDC/178, p. 2)

Unfortunately, having said that, the memorandum does not proceed to a clear definition of the key term in the negotiation, that is, "proliferation", or its converse "non-proliferation". Without such a definition it is impossible to understand the scope of principle (a):

"The treaty should be void of any loop-holes which might permit nuclear or non-nuclear Powers to proliferate, directly or indirectly, nuclear weapons in any form" (ibid., p. 1).

18. There being no guidance in the memorandum or in resolution 2028 (XX) on the definition of "proliferation", we should look for its meaning in some of the earlier resolutions on the subject, adopted both before and after the term "proliferation" came into use. Veterans of disarmament negotiations will recall that the question used to be labelled "dissemination of nuclear weapons". That terms appears in the earliest agenda of this Committee listing what then were called collateral measures -- meaning those which were not part of the main nexus comprising general and complete disarmament.

19. Resolution 2028 (XX) has in its preamble the following:

"Convinced that General Assembly resolutions 1652 (XVI) of 24 November 1961 and 1911 (XVIII) of 27 November 1963 aim at preventing the proliferation of nuclear weapons;".

These resolutions referred to the establishing of nuclear-free zones in Africa and Latin America respectively. Let us see what was the meaning of non-proliferation upon which they were based.

20. Resolution 1911 (XVIII) had this in its preamble:

"Recalling its resolutions 1380 (XIV) of 20 November 1959, 1576 (XV) of 20 December 1960 and 1665 (XVI) of 4 December 1961, in which it recognized the danger that an increase in the number of States possessing nuclear weapons would involve, since such an increase would necessarily

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result in an intensification of the arms race and an aggravation of the difficulty of maintaining world peace, thus rendering more difficult the attainment of a general disarmament agreement," (ENDC/117).

21. In the preamble to resolution 1576 (XV), mentioned in the passage just read, the following occurs -- and the same wording appears in resolution 1665 (XVI) --

"Believing in the necessity of an international agreement, subject to inspection and control, whereby the Powers producing nuclear weapons would refrain from relinquishing control of such weapons to any nation not possessing them and whereby Powers not possessing such weapons would refrain from manufacturing them".

22. Having thus traced back from resolution 2028 (XX) the meaning and purpose to be attached to the negotiation we are engaged in, I think we should be in a position to define the scope of our business and, more specifically, the scope of the provisions which the treaty on non-proliferation should contain.

23. If we refer to the speech of Mr. Trivedi, representative of India, at our meeting of 28 September, we shall see that his definition of the term "proliferation" is quite different from the interpretation which, I have suggested, derives from the language of the series of United Nations resolutions dealing with the problem. Mr. Trivedi, as we have heard him expound many times, considers that the production of additional nuclear weapons by the nuclear Powers is also proliferation (ENDC/PV.334, para. 10). If we look only at the simple dictionary meaning of the word, we may agree that that could be so. However, the application of the word "proliferation" to describe the spread of nuclear weapons is relatively recent; and, unfortunately, the introduction of the word was not accompanied by any precise definition of what it meant in the context of arms control. The meaning has to be derived from the language which was voted for in the resolutions I have quoted; and that meaning does not include increase of the stocks of nuclear weapons in the hands of nuclear Powers.

24. We in this Committee are required to negotiate a treaty which will restrict increase in the number of independent nuclear Powers -- that is, nations which can of their own sovereign right initiate a nuclear war, using their own nuclear bombs and their own means of delivering them. But we are not required to negotiate a treaty which will also obligate the nuclear Powers to stop making more nuclear weapons. In the passage from the intervention of the representative of Mexico on 19 September which I quoted in the early part of my statement, it is pointed out that that is obviously impracticable now.

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25. It is not a question of what the nations not possessing nuclear weapons would like to see; it is a question of what it is practicable to negotiate at the present time. All non-possessor nations -- and this includes Canada -- would like to see the possessors of nuclear weapons start to get rid of them, and as quickly as possible. However, we realize that, in the state of the world today, getting rid of them will be a gradual process; and the arresting of the nuclear-weapon disease from spreading further should not be tied to its elimination from those now affected. We should not argue that, if five people are stricken with smallpox, no measures of quarantine or vaccination should be applied to the rest of the population until the first afflicted have been cured.

26. I have disagreed with the representative of India over some of his views; but to preserve the principle of balance, of which we have heard so much, I should like to quote from his statement of 28 September:

> "India, in particular, believes that international security lies not in armament but in restraints on armament and in disarmament. That belief, in fact, is the basic philosophy underlying all discussions on disarmament, whether in our Committee or elsewhere." (ENDC/PV.334, para. 19)

The Canadian delegation is happy indeed to hear that; and we take from it the assurance that, although the treaty we shall eventually arrive at may have imperfections, as it will be a "restraint on armament" it will have the support of the Indian Government.

27. I turn now to a passage in the statement of the representative of Romania, also made on 28 September:

> "That is why we consider it essential that, alongside the undertaking to renounce atomic weapons assumed by the non-nuclear countries, the non-proliferation treaty should impose on the Powers possessing nuclear weapons precise legal obligations concerning the adoption of measures to prohibit and eliminate those weapons." (ibid., para. 61)

Mr. Ecobesco did not give us -- as the representative of Mexico did -- any indication of the precise form which such specific legal obligations by the nuclear Powers might take in the proposed treaty. Failing such precise language, it is difficult to regard the passage I have quoted as more than a statement in general terms of something to be desired. However, we would ask the representative of Romania whether in fact he thinks the nuclear Powers can with sincerity obligate themselves to reach agreement on measures of disarmament concerning which we all know the difficulties of reaching accord,

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difficulties of which our experience in these negotiations over the past six years has made us all fully aware.

28. The Canadian delegation has made it clear that our Government considers that a treaty on non-proliferation should be followed by other measures of partial disarmament, or arms control, leading to increased confidence among nations and increased possibilities of moving towards full agreement on general and complete disarmament. We are hopeful that that will happen -- if we obtain an agreement on non-proliferation. If we do not obtain such an agreement, the Canadian delegation sees little hope of any other disarmament agreement. We also hold the view that to make agreement by the non-possessors of nuclear weapons not to acquire them consequent upon the nuclear Powers' legally obligating themselves to adopt this or that measure of disarmament would be to ensure that there would be no non-proliferation treaty. That is an outcome which might be gratifying to certain opponents of disarmament, lovers of the bomb; but I am sure it is not the wish of any of the Governments represented in this Committee.

29. The Canadian delegation paid careful attention to the statement made by the representative of the United Arab Republic at our 333rd meeting, in the course of which he introduced proposals for amendments to draft treaty articles I and II and a new article IV-A, all of which proposals are contained in document ENDC/197. The Canadian delegation is studying those proposals and hopes to give its views upon them soon.

30. I have one other subject to touch upon before closing my statement today. That is the question of peaceful nuclear explosions, on which we have given our views several times previously. I should like to quote now what the Hon. Paul Martin, Secretary of State for External Affairs of Canada, said on this point in his statement in the general debate in the United Nations General Assembly on 27 September of this year:

> "We are firmly convinced that this treaty should prohibit non-nuclear signatories from developing so-called peaceful nuclear explosive devices. There is no distinguishing between military and civil nuclear explosive technology, between the destructive power of a nuclear bomb and a nuclear excavating charge. A more permissive provision for peaceful nuclear explosions would represent a fatal loop-hole by means of which non-nuclear States could acquire military nuclear technology."
> (A/PV.1569, pp. 53 et seq.)

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31. Many representatives here were present at the informal meeting attended last spring by most of the experts convened for the drafting of the report of the Secretary-General on the effects of the acquisition of nuclear weapons. The question was put to them whether there was any difference between nuclear explosive devices that might be used for peaceful purposes and those that might be used for military nuclear weapons. The answer was that there was no difference; and there was no dissent by any of the experts from that opinion.

32. It follows that, there being no difference between a nuclear explosive device intended for peaceful purposes and one for warlike purposes, any claim for the right to make the former is a claim for a right to make a nuclear weapon -- which would of course make nonsense of a treaty to prevent the further spread of nuclear weapons, whatever the other provisions of the treaty.

33. If a country other than the existing nuclear Powers should engage in research and development of peaceful nuclear explosions, the Canadian delegation does not think it possible to prevent that country from becoming a nuclear Power by imposing safeguards purporting to prevent the manufacture or stockpiling of nuclear weapons. We cannot see what useful purpose safeguards, no matter how rigid or comprehensive, would serve in that instance; for any country exploding a nuclear device, for whatever purpose, has acquired, as Mr. Martin has said, a military nuclear technology.

34. In conclusion, we realize that the co-Chairmen have a difficult task in reconciling some of the proposals to which we have referred with the existing text, over which they have laboured so long. We hope, however, that they will be able to work out modifications which will take into account the expressed views of other members of the Committee. We believe that adoption of some of the suggestions could help to make the treaty more acceptable to States not possessing nuclear weapons.

35. Mr. ZELLEKE (Ethiopia): The non-proliferation treaty which has consumed so much of our Committee's time last year, and especially this year, is at long last taking definite shape in the form of the identical texts of a draft treaty submitted to us by the delegations of the United States and of the Soviet Union in documents ENDC/192 and ENDC/193 respectively. The Ethiopian delegation is happy to welcome this important step forward in the annals of disarmament negotiations.

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Though the present draft treaty can by no means be described as the final step towards the attainment of the long-standing objective of checking the spread of atomic energy for weapon purposes, the stage of negotiations at which this Committee finds itself at present is undeniably a crucial stage, not only for the question under consideration but also for all negotiations on general and complete disarmament, and particularly nuclear disarmament, upon which the survival of our planet so heavily depends.

36. This leads me to the often repeated and emphasized responsibilities of this Committee. What we are asked to do here is to reduce and eliminate the possibilities of war, especially of nuclear war, with all its dreadful consequences. What we negotiate and agree upon here may well decide the destiny of the world. That being so, we cannot afford to ignore the views and concerns of nations large or small, nuclear or non-nuclear, inside as well as outside this Committee.

37. Ideally a non-proliferation treaty should be one which not only deals with the multiplication of nuclear-weapon Powers but also endeavours to prevent the existing multiplication of nuclear weapons in the nuclear arsenals of the present nuclear Powers. That point of view has been amply dealt with by other delegations in this Committee. In particular the Indian delegation has repeatedly reminded us of that fact. In one of his recent speeches Mr. Trivedi, the leader of the Indian delegation stated:

> "The Indian delegation has stressed repeatedly that further proliferation is only the consequence of past and present proliferation and that, unless we halt the actual and current proliferation of nuclear weapons, it will not be possible to deal effectively with the problematic danger of further proliferation among additional countries."
> (ENDC/PV.334, para.11)

38. That is as clear as it is undeniable. My delegation would have liked to see a draft treaty which aimed to do no less than that. For reasons which have already been expounded by the nuclear Powers in this Committee, the draft treaty upon which we are asked to comment falls far short of that objective. I have no intention at this juncture of going into the merits or demerits of that reasoning. Suffice it to say here and now that what we are asked to negotiate at present are the ways and means by which the non-nuclear-weapon nations will continue to refrain from

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acquiring nuclear weapons directly or indirectly. That being so, my delegation considers this task of ours to be a partial measure designed to maintain the status quo of the present world in the field of nuclear weaponry. In itself that is no mean achievement.

39. It is argued that weapons not only serve the visions and aspirations of nations but quite often also create them. The failure to stop the spread of nuclear weapons early in the disarmament negotiations and the succession of five nuclear Powers one after another should serve as a stimulus to negotiations now. We have reason to believe that failure to achieve now what should have been done long before now will not only result in double or treble the number of nuclear-weapon Powers, thus making the danger of nuclear devastation ever more imminent, but also render disarmament, particularly nuclear disarmament, an unattainable mirage.

40. This does not mean, however, that any treaty that has for its goal the perpetuation of existing nuclear power structure and the creation of nuclear monopoly can truly be called a non-proliferation treaty, even in its limited sense. Nor can we say that any treaty that fails to take into consideration the legitimate views of all the parties concerned can be said to be acceptable. It has already been pointed out here that the mandate of our Committee emanates from the United Nations General Assembly, which saw fit to create this Eighteen-Nation Committee on Disarmament. In doing so the world community spelled out clearly in its resolution 2028 (XX) (ENDC/161) the basic principles from which this Committee should proceed to negotiate a workable and acceptable treaty of non-proliferation. In the course of our deliberations here those principles have been so clearly enunciated that they have already formed an integral part of the non-aligned nations' memorandum of August 1966 (ENDC/178), and it would be superfluous to repeat them here. Suffice it to say that the Ethiopian delegation's view on the draft treaty before us will be guided primarily by those cardinal principles.

41. The identical texts of a draft treaty submitted by the delegations of the United States and the Soviet Union are the result of almost two years' concentrated effort, not only of this Committee but also of the United Nations General Assembly, which has encouraged and urged us to continue negotiations despite an apparent impasse that threatened to paralyse our work in this Committee. In the end, however, it must be admitted that the draft treaty before us is largely the fruit of more than a year's intensive negotiations between the two super-Powers and their allies within the framework of this Committee and outside it.

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42. It is undeniable that this Committee has had enough time to deliberate on the question of a non-proliferation treaty of which the main provisions had already been stipulated in the previous draft treaties of the United States (ENDC/152 and Add.1) and the Soviet Union (ENDC/164). Consequent changes and variations in the conceptual framework of these draft treaties either have been spelt out in this Committee by the two super-Powers or have been made known through other media. Nevertheless, this Committee cannot be expected to work seriously on rumours and newspaper clippings. In effect, therefore, the main task of this Committee must be considered to have begun with the recent formal presentation of the draft treaty. The Ethiopian delegation is happy to note that the authors of the draft treaty recognize that fact and have welcomed further comments and amendments.

43. The provisions of the draft treaty that is now before us are so interdependent that it must first of all be looked at as a single whole. Looked at as such, the present draft treaty, like its forerunners -- the previous draft treaties presented by the Soviet Union and the United States -- is seen to be in the main designed to meet the requirements of the nuclear Powers and their allies. The only welcome change, one upon which we do not fail to congratulate the authors of the present draft treaty, is the successful solution they were able to find for one of the most important questions: that of the nuclear sharing arrangements within the alliance system. The non-aligned delegations, in their individual statements and in their joint memorandum (ENDC/178) of last year, have urged the nuclear Powers and their allies to work out a mutually-acceptable solution to that problem, which at one time was regarded as the main obstacle to an agreement. It is gratifying to see that the new text has successfully avoided that important question. Apart from that, and possibly the addition of the new and vexing issue of the peaceful nuclear explosives, to which I shall revert shortly, the text of the new draft remains essentially the same.

44. Again, when we look at the draft treaty as a whole we notice a certain discrepancy between the preambular paragraphs and the main articles. Many of the principles that are enunciated in the preamble lack counter-articles in the body of the draft treaty. It is a well-known fact that the non-aligned delegations, taking their lead from resolution 2028 (XX), which stipulates in one of its principles that the treaty should embody an acceptable balance of mutual responsibilities and

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obligations, have all along been insisting on the embodiment of certain provisions in the main articles of the treaty. The linking of the present non-proliferation treaty to the question of general and complete disarmament has, for example, such unanimous support that it can hardly be expected to be enunciated in the preambular paragraph as a mere declaration of intention. It is our considered view that it should form part of the main articles of the draft.

45. We are in that respect fortunate to have the clear and well thought-out suggestions of the Mexican delegation contained in document ENDC/196. The nature of those amendments was correctly described by Mr. Castañeda, leader of the Mexican delegation, when he introduced the working paper at our meeting of 19 September, as follows:

> "Let me say at once that the amendments we have in mind do not conflict with the treaty's essential features. On the contrary, they are clearly in harmony with its objectives as spelt out in the preamble. Moreover, we believe they will contribute towards the achievement of those objectives. Our aim is, above all, to strengthen some of its provisions without essentially altering its substance, by expressing as true legal obligations what the preamble now sets forth either as a statement of intention or as the proclamation of a general principle." (ENDC/PV.331, para.4)

46. The Ethiopian delegation feels it essential to give its full support to those important amendments, and earnestly hopes that the co-Chairmen will give their most serious consideration to them. We feel that the adoption of those suggestions will greatly improve the text of the draft treaty.

47. The Ethiopian delegation has already expressed in its previous interventions its worries and apprehensions with regard to the inclusion of peaceful nuclear explosions, which now form part of the highly sensitive and delicate articles I and II of the draft treaty under consideration. The issue involved here has been so exhaustively dealt with by this Committee in the course of its present session that it hardly needs to be repeated again. What we are faced with here is a double-horned dilemma, if I may use the term. On the one hand, as the Secretary-General of the Ministry of Foreign Affairs of Brazil, Mr. Correa da Costa, stated at our meeting of 18 May:

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"Nuclear energy plays a decisive role in this mobilization of resources. We must develop and utilize it in every form, including the explosives that make possible not only great civil engineering projects but also an ever-increasing variety of applications that may prove essential to speed up the progress of our peoples. To accept the self-limitation requested from us in order to secure the monopoly of the present nuclear-weapon Powers would amount to renouncing in advance boundless prospects in the field of peaceful activities. In fact, the new discoveries and breaks-through that continuously enrich technology cannot remain the privilege of a few without establishing within the international community an irreparable relationship of dependence". (ENDC/PV.297, para.43)

48. On the other hand, we are convinced of the fact, and so far it has not been challenged, that the technology required for the production of peaceful nuclear explosive devices is the same as that required for nuclear weapons, and also that the same peaceful devices can serve to wage a war with a consequential devastation equal in magnitude to that of nuclear weapons. It cannot be denied that the exclusion from the draft treaty of appropriate provisions would constitute an important loop-hole, which this Committee has laboured so hard to avoid.

49. Be that as it may, no nation dedicated to the accelerated development of its economy and progress of its people through the application of such sophisticated technology as that of peaceful nuclear explosives can be expected to forgo for ever an important technology of such a nature without an adequate assurance that its sacrifice will be compensated through other measures. We are in full agreement with what the leader of the Nigerian delegation, Alhaji Sule Kolo, stated at our meeting of 31 August:

"The Nigerian delegation doubts very much whether the non-nuclear Powers should -- nor would it be correct to ask them to -- accept a treaty which would place them in a position of perpetual inferiority in any field of knowledge. Consequently, if a treaty is to be lasting it should provide, among other things, guarantees that non-nuclear-weapon Powers would not only have nuclear explosives, through an international organization, for their peaceful projects but also have opportunities for their scientists to develop to the full their intellectual capabilities in all fields, including that of nuclear-explosive technology". (ENDC/PV.327, para.57)

(Mr. Zelleke, Ethiopia)

50. In this respect it is pertinent to mention article V of the draft treaty, which contains the review and amendment clause, the purpose of which, we understand, is to consider amendments as well as to review from time to time whether or not the provisions and purpose of the treaty are fully realized. Among other things, the assurance that nuclear Powers give that they will make available to non-nuclear Powers nuclear explosives and the benefits of their technology through the medium of an appropriate international organization entirely depends on that clause.

51. Finally, the draft treaty before us leaves out one or two important provisions. I am referring first to article III, which deals with safeguards. The Ethiopian delegation has already in the course of its previous interventions, intimated its preference for International Atomic Energy Agency safeguards. In principle my delegation, like many other delegations, deems it essential to have a universal and non-discriminatory safeguard system. We realize, of course, that the existing diverse systems of safeguards need a period of time to be adjusted or to be absorbed into a single universal system. In that regard the Ethiopian delegation has great sympathy for the Swedish suggestion for article III contained in document ENDC/195. We hope it will be accorded the serious consideration it deserves.

52. The next important item we feel to be omitted from the draft treaty presented to us is security guarantees. Ever since the discussion of a non-proliferation treaty has been accentuated in the disarmament negotiations the question of security assurances has been uppermost in the thinking of governments, in particular governments of non-aligned non-nuclear nations. Almost at the beginning of our session last year the important messages of President Johnson (ENDC/165) and the Chairman of the Council of Ministers of the Soviet Union (ENDC/167) recognized the importance of security assurances for non-aligned non-nuclear-weapon Powers and pledged the working out of an acceptable system of security guarantees. The Ethiopian delegation is happy to note that the same pledge was repeated by the delegations of the United States (ENDC/PV.325, para.28) and the Soviet Union (ibid., para.48) when they introduced the draft treaty in this Committee. We hold that to be a minimum requirement for a non-aligned nation which forswears the production of nuclear weapons to enhance its national security.

(Mr. Zelleke, Ethiopia)

53. As I have already said, the draft treaty we are considering now is the result of no less than a full year's intensive negotiations inside and outside the framework of this Committee. Obviously, a document that has taken so long to draft cannot easily and exhaustively be analysed in as short a time as we have at our disposal now. What we have attempted to do today should therefore be regarded as our preliminary view on the draft treaty as a whole. We hope to give more specific views on specific issues when the need arises.

54. I should like to conclude this statement with a passage from one of the Ethiopian delegation's statements in the past. Speaking at our meeting of 22 February 1966, the leader of the Ethiopian delegation, Dejaz Amha Aberra, stated the following:

> "This Committee has been asked to solve the problem of the security of nations and in particular to check the outbreak of war, especially nuclear war. We have the destiny of millions of people in our hands, people at war or on its brink, whose life and death depend on the measures we may be party to undertaking at this table. We are, in fact, beset with Solomonic problems: To whom should collective security be given? Who are the mothers of adversity and who are the fathers of aggression? All the ideological, social and economic differences that have led to the outbreak of conflicts will be affected by the sweeping measures of a non-proliferation treaty". (ENDC/PV.242, p.22)

55. Mr. FISHER (United States of America): I believe that all of us around this table are familiar with the impact on the work of this Conference of the Pastore resolution on non-proliferation of nuclear weapons. Indeed, during an earlier session Mr. Foster read into the record of our proceedings a letter from President Johnson to Senator Pastore congratulating him on the passage of that resolution by the United States Senate without a single dissenting vote (ENDC/PV.268, p.18). Senator Pastore, the author and sponsor of that resolution, has been officially designated as a Congressional adviser to the United States delegation; and I am happy that he is able to be with us to participate in our deliberations today.

56. During the past few meetings we have heard a number of interesting and thoughtful statements as various representatives have expressed their views concerning the draft non-proliferation treaty now before us. We have heard two such statements this morning. A number of suggestions have been offered to amend the draft. These deserve

(Mr. Fisher, United States)

the most careful consideration, and I shall want to share my delegation's views on them with the Committee after all delegations have had an opportunity to make their suggestion, and after my fellow co-Chairman and I have had an opportunity to complete our consultation on them.

57. Today, however, I should like to address myself to one aspect of the statement made by the representative of India last Thursday, in which he rested much of his argument on the assertion that a halt in the production of fissionable material for weapon purposes --- what we have called here the "cut-off" -- is the only correct basis on which to seek a non-proliferation treaty (ENDC/PV.334, para.6).

58. I should like to deal with that aspect of our colleague's statement today -- in advance of replying to the suggestions which have been made by other representatives and in advance of replying to some of the other, more detailed, suggestions that he has made --- primarily because he has, in part, based a justification of his approach upon the position of the United States. In this connexion he observed:

> "In fact, until recently the United States advocated the cut-off as a first step in a series of measures of nuclear disarmament." (ibid.)

This statement apparently provided at least part of the basis for his assertion, in the next sentence, that --

> "Thus it has been the firm international thesis all along that the cessation of production of fissionable material for weapon purposes is the basis of non-proliferation of nuclear weapons." (ibid.)

59. The United States has not only supported a cut-off until recently; we support it now as a desirable step in our continuing effort to bring the nuclear arms race to a halt. However, in advocating a cut-off on about a dozen separate occasions in this Committee from 1964 through 1966, and in presenting four working papers on the verification of a cut-off during that period, the United States delegation has repeatedly sought to make clear why it would not be possible or advisable to try to link such a measure to the conclusion of a non-proliferation treaty. I submit that the reason is by now patently clear to every member of this Committee. It is that an attempt to establish such a link would result in achieving neither a cut-off nor a non-proliferation treaty.

(Mr. Fisher, United States)

60. In presenting the draft treaty, we have explicitly recognized that one of its purposes is to facilitate further measures of nuclear disarmament. There have been some suggestions that the language of the treaty dealing with the relationship between non-proliferation and further measures of nuclear disarmament should be strengthened. These suggestions are under active consideration at the present time.

61. However, what I am addressing myself to now is the apparent suggestion that there should be a definitive link between two particular measures, the non-proliferation treaty and the cut-off. I submit for the consideration of this Conference, and particularly for the consideration of our Indian colleague, that we should reject this link. If we were to insist on it, and to insist that we must resolve all the difficulties which have plagued us in considering the cut-off before we can agree on a non-proliferation treaty, we shall succeed only in producing two results: first, we shall have lost an opportunity to achieve a non-proliferation treaty, an opportunity which may never come again; and, secondly, we shall certainly reduce -- indeed we may well strike a fatal blow at -- our chances for further measures of nuclear disarmament, including the cut-off. By insisting that two worthy objectives be obtained at the same time, we might well fail to obtain either

62. I found a ray of hope in the observations of the representative of India when in the penultimate paragraph of his statement he indicated that, although he would consider a specific programme of disarmament incorporated in the treaty to be an ideal solution, he recognized that that might not be practicable at the present time. He went on to recommend instead a provision in the treaty

> "affirming the solemn resolve of the nuclear-weapon Powers to undertake meaningful measures of disarmament, particularly of nuclear disarmament." (ibid., para.45)

63. If our colleague is prepared to recognize that, as a general proposition, the necessity for making progress where we can outweighs the desirability of specifying a programme of individual measures of disarmament as part of a non-proliferation treaty, I hope he can see his way clear to applying that line of reasoning to the cut-off as well as to other measures. If he could do so, we should be in a position to make progress in the direction he indicated, when in his conclusion he so eloquently reminded us that we

> "have a common objective, and that objective is to eradicate the nuclear menace as soon as possible and to ensure security for all." (ibid., para.46)

(Mr. Fisher, United States)

64. But, as we share a common objective, we share also common problems and common limitations on our ability to reach that objective in one leap. Our immediate objective lies before us at this moment in the form of a draft treaty to stop the spread of nuclear weapons. We should not now, I submit, alter our course to a direction that will put the treaty further from our grasp.

65. Mr. TRIVEDI (India): I am extremely grateful to the representatives of the United States and Canada for giving consideration to the comments I made at the meeting of 28 September. At the moment I do not wish to go into the substantive issues raised in the very useful interventions made by those two representatives. However, to make the record clear I might explain what I meant when I spoke about the "international thesis" and when I referred to the position of the United States (ENDC/PV.334, para.6). I was referring in particular to the United States memorandum of 29 August 1957,[1/] which said specifically that from the date on which the production of fissionable material was halted by all countries the countries would assume an obligation not to transfer or to receive nuclear weapons — not to disseminate nuclear weapons. I have not a copy of the memorandum with me, but perhaps the representative of the United States, with the large research capacity at his disposal, can produce that document, and if so I can quote it if necessary.

66. I agree that the United States has always been pressing for a cut-off; and the Indian delegation appreciates the sincerity of purpose of the United States in pressing for that measure.

67. While I have the floor, there is another misunderstanding which I may be able to remove, and that concerns a confusion over the meaning of the word "disarmament". It has been said here and in the Press that a non-proliferation treaty should not be linked to disarmament measures. The representative of Canada said that this morning. I have referred to this subject once before in this Committee (ENDC/PV.316, para.31); and I think the proposition put forward is that, although various measures of disarmament are desirable, they should not overload a non-proliferation treaty.

1/ Disarmament Commission, Official Records. Document DC/113, Annex 5, IV C 1., p.75.

(Mr. Trivedi, India)

68. The Indian delegation is in entire agreement with that proposition; but then the Indian delegation is not asking for disarmament, or for a measure of disarmament. The Indian delegation is asking only for non-proliferation of nuclear weapons. The Indian delegation takes the view that a non-proliferation treaty is a treaty on non-armament, and that the obligation for non-armament should be assumed by all countries and not only by some countries. That is the only difference. But that is not disarmament. Reduction of weapons, reduction of stockpiles and delivery systems: that is disarmament. To disarm; to remove arms; to destroy arms; to reduce arms: that is disarmament.

69. What we are talking about at the moment is not disarmament; it is non-armament. This is a treaty which says that there should be no proliferation of weapons, no spread of weapons, no increase in nuclear arsenals, no increase in the number of nuclear-weapon Powers. As the representative of Ethiopia has said, it is also the question of the status quo. Certainly we are not happy with the status quo; but for the present it is a matter of not increasing the capabilities of the existing nuclear-weapon Powers.

70. In that context I completely echo the hope expressed by the representative of Canada when he said:

> "The Canadian delegation is happy indeed to hear that, and we take from it the assurance that, although the treaty we shall eventually arrive at" -- I suppose "we" means the entire Committee -- "may have imperfections, as it will be a 'restraint on armament'" -- and I presume that means restraint not on the armament of some countries but on that of all countries -- "it will have the support of the Indian Government." (supra., para.26)

My reply is "Amen".

71 Mr. FISHER (United States of America): I shall reply very briefly, because I should not wish to see what is, to my mind, an extremely interesting and useful exchange of views with my good friend take on any of the aspects of a personal confrontation. I would merely say that the semantic problems of what is or is not proliferation or what is or is not arms control or disarmament are familiar to all of us; but an argument based on that language does not hide the fact that in substance what is required is the same, whether it be defined as part of non-proliferation itself or as a linked measure.

(Mr. Fisher, United States)

72. What we are faced with is this. Should we insist that we have to solve all the difficulties that lie before us, dealing with verification and other measures for a cessation of the production of nuclear materials for use in nuclear weapons, before we can agree on a treaty along the lines of the simultaneous drafts submitted on 24 August? I believe that to be the issue. Furthermore, I hope that my reference to the ray of light that I thought I saw in some of the excellent and eloquent observations made by the representative of India was not in vain.

73. The CHAIRMAN (Sweden): On behalf of the Committee I take this opportunity to bid Senator Pastore a hearty welcome to our midst. The resolution bearing his name which was adopted last year by the United States Senate, and of which he was the initiator, is indeed very well known to all of us; and I want him to know that we are very glad to see him in the Eighteen-Nation Committee on Disarmament.

The Conference decided to issue the following communiqué:

"The Conference of the Eighteen-Nation Committee on Disarmament today held its 336th plenary meeting in the Palais des Nations, Geneva, under the chairmanship of Mr. Axel Edelstam, representative of Sweden.

"Statements were made by the representatives of Canada, Ethiopia, the United States and India.

"The next meeting of the Conference will be held on Tuesday, 10 October 1967, at 10.30 a.m."

The meeting rose at 12 noon.