

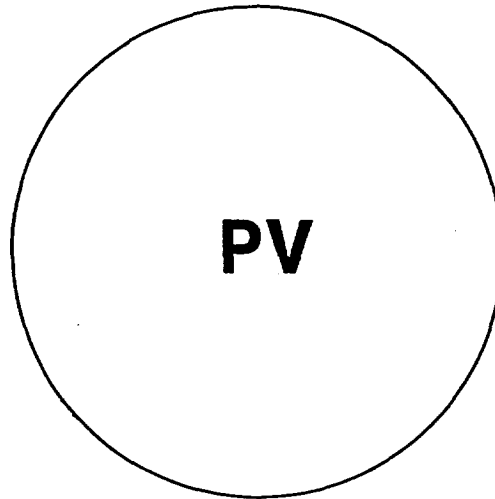
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CONFERENCE ON DISARMAMENT

RADIOLOGICAL WEAPONS — FINAL RECORDS (PV)

1977-1984



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COMPILED AND EDITED BY:

ARMS CONTROL AND DISARMAMENT DIVISION OF
THE DEPARTMENT OF EXTERNAL AFFAIRS
OTTAWA, CANADA

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PREFACE

CONFERENCE ON DISARMAMENT - 1985 SESSION

This book is a compilation of final records of the Conference on Disarmament (CD) and its predecessors from 1977 to 1984, relating to Radiological Weapons (RW). It has been compiled and edited to facilitate research on the RW issue and is a compendium of the more significant material made available to the CD.

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1977

(Mr. Likhatchev, USSR)

Seeking to meet the positions of those members of the Committee on Disarmament who pronounced themselves in favour of the prohibition of specific new types and systems of weapons of mass destruction on the basis of special agreements, the Soviet side provided for the possibility of applying such a method as well when necessary. It proceeds from the assumption that, parallel to a general agreement on the prohibition of the development and manufacture of new types and systems of weapons of mass destruction it is possible to conclude special agreements on the prohibition of specific types of those weapons.

In order to reflect this possibility in the agreement, we suggest that article I of the draft should include the following additional provision as paragraph 3: "States Parties to the Agreement may, in cases where they deem it necessary, conclude special agreements on the prohibition of particular new types and systems of weapons of mass destruction".

An important component part of our new proposal is the inclusion in article I of the draft agreement (the last sentence of paragraph 1 of article I) of the reference to the fact that a specific list of types of armaments to be prohibited will be annexed to the agreement.

In our view such a flexible approach -- where the agreement would at the same time contain a general definition of new types of weapons of mass destruction to be prohibited as well as a specific list of types and systems of such weapons to be prohibited -- would make it considerably easier to achieve a generally acceptable solution of the question of the scope of the prohibition.

Our supplemented draft agreement contains an approximate list of the types and systems of weapons of mass destruction covered by the agreement. As to the possible content of such an approximate list, the Soviet delegation suggests that it should include the following types of weapons:

1. Radiological means of the non-explosive type acting with the aid of radioactive materials. What is meant in this case is the prohibition of the development of weapons on the basis of the use of the spent fuel of atomic reactors and of other radioactive materials designed to injure human beings through radioactive emissions and to contaminate terrain, water, military hardware, and military and civilian targets.

Mr. FISHER (United States of America): Today I would like to express some views as to the best way that the Conference of the Committee on Disarmament could protect humanity against weapons of mass destruction. In doing so, I will be quite brief and confine my remarks primarily to a discussion of the suggestion made by our distinguished Soviet colleague that the best way to approach this problem is through a comprehensive treaty banning new weapons of mass destruction. He made this suggestion in his thoughtful remarks at our plenary session on Tuesday, 9 August.

The United States believes that all of us in this room share a common objective with respect to dealing with weapons of mass destruction. We all agree that both existing and possible new types of weapons of mass destruction pose a particularly serious threat to mankind, and that our ultimate objective should be to eliminate and prevent future development of such weapons under adequately verified agreements.

With respect to weapons of mass destruction, however, we are not convinced that it would be either desirable or effective to attempt to deal with them in a single treaty. We continue to believe that the most effective approach would be to keep this issue under review in order to identify potential weapons of mass destruction as early as possible. When specific potential weapons are identified we believe it would then be appropriate to develop a specific agreement dealing with the weapon in question. However, any new weapons of mass destruction will undoubtedly have different technical characteristics as compared with other weapons, and we believe it would be particularly important and necessary for any agreement to control such a new weapon of mass destruction to be tailored to the specific weapon. This is true not only because the dangers of weapons of mass destruction may vary, but also because the means of verifying compliance with an agreement to ban these weapons may be quite different, depending upon the nature of the threat posed by the weapon and its characteristics which might determine the means for its control.

The United States delegation has read with interest the revised draft treaty proposed by our distinguished Soviet colleague.

It presents two new points which we have studied with interest. The first is a new definition of weapons of mass destruction by which it is proposed to expand the 1948 United Nations definition of weapons of mass destruction. This consists of two parts. The first part embodies the concept of a new weapon of mass destruction based on scientific and technological principles that may be discovered in the future,

(Mr. Fisher, United States)

or based on relationships between presently known scientific and technological principles that may be developed in the future. I would submit, however, that the very nature of this concept, one dealing with a principle or principles that we do not now understand, or a relationship among known principles that have not as yet been conceived, prevents our dealing in as considered a manner as we would like with the problem of bringing weapons of mass destruction, based on new principles or new relationships, under control.

The second part consists of a recommended addition to the standard of comparability in destructive effect contained in the 1948 United Nations definition, by adding the concept of greater destructive effect. We would be surprised if this view were not already accepted.

The second point proposed by our distinguished Soviet colleague is the concept of a combined approach -- that we should draft an over-all agreement covering all new types of weapons of mass destruction and also agreements dealing with specific weapons, as we become aware of them and of the danger they present.

I believe the latter portion of this approach has merit and will make a specific suggestion along these lines. But I do not believe our efforts to deal with specific weapons of mass destruction that we can identify, and whose dangers we can recognize, will be helped by linking them with an effort to draft an over-all treaty dealing with areas that we do not understand or with an effort to include under such an over-all treaty areas of scientific development where we do not have agreement that it is necessary or advisable to identify the potential products of these developments as weapons of mass destruction.

The United States believes that we should work along the lines of the United Nations 1948 definition of weapons of mass destruction and address "radioactive material weapons", and should continue to focus on the concept of comparability contained in the definition.

The United States delegation heard with interest the observation by the representative of the USSR that scientific developments since 1948 justify proposed amendments to the 1948 United Nations definition. We are not aware of any such changes; in particular, we are not aware of any development that would justify changing or transforming the definition contained in that resolution into the operative clause of a multilateral treaty.

(Mr. Fisher, United States)

This position of the United States does not mean that we believe we have to wait until a weapon has been developed or deployed before taking steps to bring it under control. Our agreement on the Treaty on Outer Space and on the Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Sea-Bed, both concluded at a time when no such emplacement had been made, indicates we are not opposed to preventive measures in the field of arms control.

The test, however, is whether or not we know enough about the weapons potential of a new scientific development to identify it as the basis for a weapon of mass destruction and to draw up an agreement which deals in the most effective manner with the dangers it might present. We still remain firmly of the view that we cannot do so in a vacuum because when we are dealing with a principle or a relationship that we do not yet know or understand, we cannot make the rational evaluation required if we are to advance the cause of both peace and progress.

In summary, what I have said thus far is, in sum, that: (1) we share the objective of pursuing the broad goal of curbing weapons of mass destruction; (2) we find the 1948 United Nations determination to be an adequate and reasonable basis for deciding definitional questions that have arisen thus far; (3) we acknowledge that the 1948 definition includes "radioactive material weapons" and that this type of weapon should be subject to an appropriate agreement; and (4) none of the other examples suggested so far seem to us to qualify as weapons of mass destruction.

We are aware of the feeling that we should not only be concerned about weapons of mass destruction that we now can perceive but also about others that might be developed in the future. We share this concern.

One approach that will keep this problem constantly before us, and that we might wish to consider, might be along the lines suggested by Minister of State, Lord Goronwy-Roberts. We might work toward a United Nations resolution which recognizes the potential dangers of new types of weapons of mass destruction, takes note of previous resolutions, and calls on the CCD to keep this issue under continuing review with a view toward negotiating agreements on specific new types of weapons of mass destruction as they are identified.

(Mr. Fisher, United States)

Discussions in the CCD and bilateral discussions between the United States and the USSR have resulted in a growing awareness of the desirability of prohibiting radiological weapons. During Secretary Vance's visit to Moscow in March of this year, the United States and the USSR agreed to establish a number of arms-control working groups. One of these groups has as its mandate radiological weapons and new types and new systems of weapons of mass destruction. This bilateral working group has just completed a series of meetings on these topics and considerable progress was made on a possible initiative for a prohibition of radiological weapons. My delegation believes that it may be possible to complete work on a joint United States-USSR initiative dealing with radiological weapons at an early date and that such an initiative might be ready for presentation to the CCD at its next session. I would like to stress that we do not believe that negotiations on a possible radiological weapons convention should distract the CCD from its work on other important issues that it has before it.

My delegation notes that radiological weapons were included in the 1948 United Nations definition of mass-destruction weapons. This definition recognizes the possibility that in the future there may be new weapons of mass destruction comparable in destructive effect to nuclear weapons and others specified in the definition. The United States believes that the designation of some new weapons as mass-destruction weapons is an important step. In order for the new weapons to be designated as weapons of mass destruction it would be desirable to have the broadest possible agreement, and if possible consensus. We believe that it would be appropriate for the CCD to keep the issue of new types of weapons of mass destruction under review and, when specific new weapons of mass destruction are identified, to negotiate individual agreements specifically tailored to deal with each case.

1978

(Mr. Fisher, United States)

Another measure which may be considered by the CCD this year is the prohibition of radiological weapons, weapons which could use radiation from natural radioactive decay to cause damage, death or injury.

Let me explain briefly why a convention on RW would be a valuable step. This convention would prohibit the use in warfare of the radioactive material which is becoming increasingly plentiful as the use of research and power reactors grows throughout the world. Although of relatively less significance when compared with a comprehensive test ban or a chemical weapons convention, a prohibition on radiological weapons and their use would fill a logical gap in the panoply of arms control measures, and would serve to head off the possible development of hitherto untried weapons of mass destruction specifically mentioned in the 1948 United Nations definition. The relatively wide availability of radioactive material creates a potential threat which we should not ignore — one which we can effectively guard against through arms control, i.e. providing we act promptly and deal with such weapons before rather than after they are in the arsenals of States. I believe it should be possible for us to consider a comprehensive prohibition on radiological weapons without interfering with the CCD's higher priority issues.

CCD/PV.781
11-12

(Mr. Warnke, United States)

The United States and the Soviet Union have made considerable progress on a joint initiative dealing with radiological weapons, and work on this issue is continuing.

It has not interfered with our bilateral efforts on higher priority issues, and it need not distract the CCD from higher priority issues either. However, the United States believes that it would be worth while to conclude a multilateral arms control measure prohibiting radiological weapons before such weapons are introduced into the arsenals of States, and we believe that the negotiation of such an arms control agreement would be an appropriate task for the CCD.

(Mr. Likhatchev, USSR)

In general, the Committee on Disarmament is quite actively engaged in studying the substance of the problem of prohibiting the development and production of new types and systems of weapons of mass destruction and in searching for possible approaches to its solution. Human thought has never before dared to erect barriers to the development and creation of any possible new types and systems of weapons. But now the Committee has embarked upon the task of solving this problem and has already gone beyond the stage of exchanging general views. A solution to the problem has crystallized on the basis of the conclusion of a comprehensive agreement (CCD/511/Rev.1) which would in principle do away with even the possibility of the emergence of new and more sophisticated weapons of mass destruction as well as on the basis of the conclusion of separate agreements on the prohibition of specific types of such weapons in cases when the danger of the development of such weapons becomes clear. Radiological weapons, whose prohibition is being now negotiated between the USSR and the United States is precisely such a specific case.

Mr. FISHER (United States of America): As the 1978 spring session of the CCD comes to a close, there seems to be a sense of disappointment that the Committee is unable to report concrete results on the priority tasks before it. I share that disappointment. My delegation had hoped that either a tripartite comprehensive nuclear test ban agreement or a joint initiative on chemical weapons, or both, might be presented to the Committee during this session. However, it has taken more time than we anticipated to develop the framework for agreement on these extremely complex and technical issues. Our efforts will continue on both of these issues, with our two other negotiating partners on the CTB, and bilaterally with the Soviet Union on chemical weapons. While we have been able to report considerable progress in both cases, it is not possible at this time to predict with accuracy when either will be ready for presentation to the CCD.

Turning briefly to another issue which is currently the subject of bilateral negotiations, the United States continues to believe that a comprehensive prohibition of radiological weapons would be a meaningful and logical disarmament measure. This would close off a potentially dangerous, although yet untried, category of weapons based on the radiation from radioactive material, in the absence of a nuclear explosion. Such radiological weapons have been designated as weapons of mass destruction since 1948. The United States and the Soviet Union have recently concluded another round of negotiations on a possible joint initiative on radiological weapons, and we expect to resume negotiations on this issue soon. I am pleased to report that the two sides are close to full agreement on a possible joint initiative which could permit us to proceed to multilateral work on a radiological weapons convention in the CCD at an early date. In this regard I would like to stress that the United States shares the views expressed by many members of the Committee that work on a possible radiological weapons convention should in no way interfere with work on our other important tasks.

(Mr. Likhatchev, USSR)

The delegation of the Soviet Union, guided by the desire to bring about a more profound and scientifically reasoned discussion of the problem of the prohibition of new types and systems of weapons of mass destruction, proposed the establishment, under the auspices of the Committee, of an ad hoc group of qualified governmental experts to consider the question of possible areas of the development of new types and systems of such weapons (CCD/564). This would, in our view, have constituted a useful step in the spirit of the desire expressed by the United Nations General Assembly to the effect that the work on the elaboration of measures to prevent the use of scientific and technological progress for the development of new types of weapons of mass destruction should be continued and deepened.

As regards the solution of the problem of preventing the development of new types and systems of weapons of mass destruction in practical terms, the conclusion of an international convention on the prohibition of radiological weapons in the immediate future could represent one step in this direction. I am saying this on the basis of the fact that, during the Soviet-American negotiations on the subject — as indicated in the statement released by the USSR and the United States to the press — which were held from 6 February to 4 May 1978 in Geneva, the work of drawing up the said convention was continued.

CCD/PV.302

10

(Mr. Pfeiffer, Federal Republic of Germany)

Although we attach priority to the early conclusion of a CTB and a CW treaty, we also consider a complete ban on radiological weapons to be important as well as possible. We are looking forward to the results of the bilateral talks on this subject between the United States and the Soviet Union which were resumed on 19 July, and we are hoping for an early joint initiative which can be dealt with further in the Committee. In this respect we have been encouraged by the positive statement of the distinguished delegate of the Soviet Union on 15 August.

The formulation contained in paragraph 77 of the Final Document of the special session devoted to disarmament dealing with the complex of new weapons of mass destruction provides for the conclusion of specific agreements on particular types of new weapons of mass destruction which may be identified. We agreed to this text because otherwise it did not seem possible to meet the specific characteristics of a given weapon in an effective ban which also has to include a verification system for that particular weapon.

(Mr. Domokos, Hungary)

In connexion with the new types of weapons of mass destruction mention should be made of the radiological weapon, which is expected to be the subject of a separate convention. My delegation noted with satisfaction the information on the new round of bilateral talks and looks forward to a successful and early completion of these negotiations.

This subject was already raised and discussed several years ago, but at that time the necessity for action was not generally felt. In the meantime, however, conditions have changed, from both the technological and the arms-limitation point of view. The need for an effective prohibition of the radiological weapons is in our opinion due to the following developments:

1. The world-wide spread of nuclear technology for peaceful purposes and the growing share of nuclear power in national energy economies in an increasing number of countries has led to the accumulation of radio-active materials and know-how which might be used for the development of radiological weapons.

2. The possible use of radiological weapons is envisaged in the professional literature by means and methods similar to that of the CW. The aim would be the same: to kill troops or civilians or to prevent access to an area by contamination. The conclusion of the CW convention might generate interest in the development of radiological weapons.

3. The non-proliferation aspect of the issue should also be considered. One cannot rule out the possibility that the radiological weapon's being a kind of non-explosive nuclear weapon may make its acquisition attractive to some non-nuclear-weapon States.

For the above reasons, my delegation feels the necessity of a preventive measure. We support the efforts aimed at the preparation and conclusion of an RW convention.

1979

The CHAIRMAN: I declare open the 40th plenary meeting of the Committee on Disarmament.

The Committee starts today the consideration of item 4 of the programme of work "New types of weapons of mass destruction and new systems of such weapons; radiological weapons".

In connexion with this item, may I draw the attention of the Committee to documents CD/31 and CD/32, containing an "Agreed joint US-USSR proposal on major elements of a treaty prohibiting the development, production, stockpiling and use of radiological weapons", which are being circulated in the official and working languages at present used by the Committee.

Mr. ISRAELYAN (Union of Soviet Socialist Republics) (translated from Russian). At the meeting between L.I. Brezhnev, the General Secretary of the Central Committee of the Communist Party of the Soviet Union and President of the Presidium of the Supreme Soviet of the USSR and J. Carter, the President of the United States which took place from 15 to 18 June this year, the leaders of the USSR and the United States confirmed with satisfaction the achievement of bilateral agreement on major elements of a treaty prohibiting the development, production, stockpiling and use of radiological weapons. Today our agreed joint proposal is being presented to the Committee on Disarmament for its further consideration and discussion.

We hope this step, which is a specific contribution by the two countries to the erection of barriers against the further spread of the arms race, will receive due recognition both within and outside the Committee.

The document which has been distributed in the Committee is aimed at preventing the emergence of one of the types of weapons of mass destruction -- the radiological weapon -- which, should it be developed and used, could cause mass destruction of human life and have extremely dangerous consequences for mankind.

Experts maintain that the possibility of the development of radiological weapons is quite real. They have in mind possible varieties of these weapons such as bombs, shells, demolition charges and the like, which are designed to disseminate, by means of an explosion, the radioactive material they contain; special devices or equipment which disseminate radioactive material by a non-explosive method, for example, by dispersing it in the form of liquid or solid particles as well as the radioactive material itself with which such devices are filled.

(Mr. Issraelyan, USSR)

There is every reason to believe that the scale of the destruction wrought by radiological weapons would be similar to the scale of destruction caused by radioactive materials which are produced in nuclear explosions and bring about the radioactive contamination of the area.

The importance of preventing the emergence of this type of weapon of mass destruction is also connected with the fact that the rapid development of nuclear energy and technology in many countries of the world creates objective conditions for the large-scale proliferation of radioactive materials which, being what they are, may be used in radiological weapons. Such use of radiological materials may become technically accessible for a very large number of States.

As is known, the Soviet Union regards the prohibition of radiological weapons as a part of the solution to the problem of the comprehensive prohibition of new types and systems of weapons of mass destruction. We are convinced that the treaty prohibiting radiological weapons will constitute yet another important contribution to the limitation of the arms race, to saving mankind from the danger of the development and use of one of the possible new types of weapons of mass destruction. A major step forward will be taken to prevent the use of scientific and technological progress for the purpose of developing new types of weapons of mass destruction.

I should now like to comment on the principal provisions of the draft treaty.

When elaborating these provisions, the Soviet delegation endeavoured to have them worded in precise treaty language and, as far as possible, to put them in final form, which would undoubtedly facilitate further work on the text.

Paragraphs I, II and III define the scope and subject of the prohibition.

The obligations to be assumed by the parties to the treaty under these provisions would completely preclude the possibility of the deliberate use of any radioactive material, not produced by a nuclear explosive device, as a weapon of mass destruction.

In this connexion, paragraphs I and II are concerned with the obligation not to develop, produce, stockpile, otherwise acquire or possess, or use radiological weapons. The term "radiological weapon" covers any device and any radioactive material, other than nuclear explosive devices or material produced by them, which may be specifically designed for employment as a weapon of mass destruction acting by radiation.

(Mr. Issraelyan, USSR)

In our view, the obligations assumed under paragraphs I and II completely preclude the possibility that parties to the treaty could make preparations to wage radiological war by developing in advance special devices, and expressly prohibit the employment of such devices to cause destruction, damage or injury.

On the other hand, in elaborating the provisions on the scope and subject of the prohibition, we were fully aware of the fact that, in view of the steadily increased scale of the practical activities of States entailing the use of radioactive materials in areas of activity not prohibited by this treaty, situations connected with a deliberate violation of the treaty could arise when it may be not evident whether this or that radioactive material used to cause destruction, damage or injury is or is not covered by the definition of radiological weapons.

The purpose of paragraph III is to prevent such deliberate use of radiological material which is not defined as a radiological weapon.

In concluding our explanations concerning paragraphs I, II and III, we should like to dwell on yet another important point.

Of course, as we are talking about radiological weapons, it is emphasized throughout that this treaty does not cover nuclear explosive devices and the radioactive material which is produced during their explosion, which means that the treaty does not deal with nuclear weapons. As is well known, the Soviet Union is in favour of the complete prohibition of all types of nuclear weapons and of beginning negotiations on this question. However, the treaty prohibiting radiological weapons has a framework of its own.

In drawing up the basic provisions of the treaty prohibiting radiological weapons which are being presented to the Committee on Disarmament, we took into account the fact that the activity prohibited under the treaty abuts very closely and along a broad front on the various multifaceted activities of States entailing the use of radioactive material for purposes not related to radiological weapons. Various aspects of this factual situation are emphasized by appropriate provisions of the treaty.

Paragraph IV imposes an obligation on the parties to the treaty not to assist, encourage, or induce any person, State, group of States or international organization to engage in any of the activities prohibited under paragraphs I and III.

(Mr. Issraelyan, U.S.S.R)

Paragraph V emphasizes the right of the parties to the treaty to carry out, without hindrance, peaceful activities in a corresponding field.

Paragraph VI imposes an obligation on the parties to the treaty to take any necessary measures to prevent the loss and diversion of radioactive materials, and to prohibit any activities contrary to the treaty. Paragraph VII also provides that this treaty in no way affects the obligations assumed by States under a number of other international legal instruments.

Paragraph VIII deals with verification questions. It reflects the principle that verification measures provided for in any agreement on arms limitation should correspond to the subject and scope of the prohibition. The experience acquired with the agreements in force in the field of the limitation of the arms race and of disarmament was made use of in the preparation of this provision. Members of the Committee who took part in the elaboration of those agreements will, of course, immediately notice this. The provision provides for the establishment of a consultative committee of experts to resolve questions regarding compliance with obligations under the treaty, and states the conditions for making findings of fact should any doubts arise on questions of compliance with the provisions of the treaty and on similar matters.

In drawing up the basic provisions of the treaty we proceeded from the need to ensure its reliability, and to assure all parties to it that this instrument will be a viable and effective means of arms limitation. It was precisely in this spirit that we drafted the wording dealing with the introduction of amendments to the treaty and the convening of review conferences of the States parties to the treaty.

In concluding my statement, I would like to note that the agreed joint proposal which we are submitting deals with the obligation not to develop, produce stockpile, otherwise acquire or possess, or use radiological weapons. In this connexion, the Soviet Union understands that no obligations undertaken by States in the projected treaty will be interpreted as covering the use of radioactive materials or any sources of radiation except such uses as the parties to the treaty have undertaken not to engage in pursuant to the provisions of the treaty.

In submitting this document, the Soviet delegation expresses the hope that it will command the interest and serious attention of all members of the Committee. The Soviet delegation is aware that members of the Committee may have various

(Mr. Israelyan, US A)

questions to raise and that they will require to co-ordinate their respective positions with their Governments, but we nevertheless believe that as the Committee must take practical steps towards limiting the arms race, we shall all take the necessary measures to ensure that the draft treaty prohibiting radiological weapons is submitted to the thirty-fourth session of the United Nations General Assembly for consideration.

Mr. FISHER (United States of America): Today the United States delegation is tabling a proposal on major elements of a treaty on the prohibition of radiological weapons. A parallel proposal is being tabled by the delegation of the Soviet Union. We are presenting this joint initiative for consideration by all delegations with a view to the early conclusion of a multilateral treaty.

In so doing, we are living up to the commitment in the joint United States-USSR communiqué of 18 June this year which reads:

"President Carter and President Brezhnev were pleased to be able to confirm that bilateral agreement on major elements of a treaty banning the development, production, stockpiling and use of radiological weapons has been reached. An agreed joint proposal will be presented to the Committee on Disarmament this year."

Radiological weapons (or radioactive material weapons, as they have also been called) have long been identified as potential weapons capable of mass destruction. In 1948, a United Nations Commission identified as weapons of mass destruction:

"... atomic explosive weapons, radioactive material weapons, lethal chemical and biological weapons, and any weapons developed in the future which have characteristics comparable in destructive effect to those of the atomic bomb or other weapons mentioned above."

Nuclear explosive weapons have been the subject of a number of international arms control agreements, and further negotiations directed toward the control of such weapons are proceeding. Biological weapons have been prohibited by a multilateral treaty that entered into force some five years ago. A convention which banned the use of chemical weapons was signed in 1925, while efforts continue toward a comprehensive prohibition of chemical weapons.

(Mr. Fisher, United States)

The remaining category included in the United Nations definition of 1948 was radioactive material weapons. At that time, the amounts of highly radioactive materials in existence were small and, geographically, were confined to a few facilities. Nonetheless, it was recognized that, used as a weapon, these materials could cause mass destruction of human life. As we are all aware, in the succeeding years the accumulation of radioactive materials has proceeded at an accelerating rate, and such material is now to be found at many facilities throughout the world.

Consideration of the matter led my Government, in 1976, to suggest before the United Nations General Assembly that there appeared to be merit, in view of the continuing proliferation of radioactive materials, in seeking an international agreement covering radiological weapons.

The kind of specific activities that the treaty would prohibit would be, for example, the use of radioactive material from spent fuel rods of a reactor over an area to make it impassable or, in a populated area, to kill, harm or to force evacuation of the population. It would also prohibit the development, production, and stockpiling of devices specifically designed for such purposes.

In 1977, the United States and the Soviet Union initiated bilateral consideration of this problem. Subsequently, later in 1977, the two sides agreed to pursue a joint initiative to be presented in this Committee, leading to final elaboration of a comprehensive agreement banning radiological weapons. The United Nations General Assembly recently demonstrated its belief in the desirability of taking steps to head off any possible resort to this weapon of mass destruction. The Committee on Disarmament also expressed concern over the potential threat posed by radiological weapons by placing this subject on the agenda and programme of work for its 1979 session. We believe that the agreed joint proposal we are presenting today represents an adequate basis for the Committee on Disarmament to arrive at a final treaty text.

With respect to the text of the joint initiative, it should be said that the formulation of restraints on the employment of radioactive materials presented a major challenge in the bilateral negotiations, particularly as regards definition. This was because there are so many uses of these materials that in no way involve the inflicting of destruction, damage, or injury by means of the radiation produced

(Mr. Fisher, United States)

by the decay of such material. The agreed joint proposal that we are presenting deals with an undertaking not to develop, produce, stockpile, otherwise acquire or possess, or use radiological weapons. In this connection, the United States would like to make clear its understanding that no obligations undertaken by States in the projected treaty will be interpreted as covering the use of radioactive materials or any sources of radiation except such uses as the parties to the treaty have undertaken not to engage in pursuant to the provisions of the treaty.

All nuclear explosive weapons, which produce radiation along with other destructive effects, constitute a category of weapons of mass destruction separate from radiological weapons, and are therefore not covered by the joint initiative. Progress in curbing such weapons through appropriate arms control arrangements is a priority objective of the United States Government. We are making every effort to advance that objective.

I would now like to summarize and comment on specific portions of the proposed elements themselves.

Paragraphs I and III contain the basic obligations of the proposed treaty. Paragraph I obligates parties not to develop, produce, stockpile, otherwise acquire or possess, or use radiological weapons. Paragraph III is a broad prohibition of the intentional dissemination of radioactive material not defined as a radiological weapon for the purpose of causing destruction, damage, or injury.

The definition of a radiological weapon is given in paragraph II; namely, 1. any device specifically designed to employ radioactive material by disseminating it to cause destruction, damage, or injury by means of the radiation produced by decay of such material, or 2. any radioactive material specifically designed for such use. As I mentioned before, nuclear explosive devices do not fall under this definition.

Paragraph IV would obligate parties not to assist, encourage, or induce other States, groups of States, or individuals to engage in the activities prohibited by paragraphs I and III.

Paragraph V makes clear that the treaty would not apply to any of the myriad uses of radiation from radioactive decay for peaceful purposes, and would not stand in the way of international co-operation in this regard.

Paragraph VI would require parties to take measures to prevent the loss or diversion of radioactive materials which might be used in radiological weapons.

(Mr. Fisher, United States)

An essential and long-recognized requirement of any effective arms control or disarmament measure is that it must contain measures of verification adequate to the special nature of the weapons to be controlled in order to create the necessary confidence that it is being observed by all parties. The United States is satisfied that the verification provisions incorporated in this joint initiative meet the requirements of this particular treaty.

Paragraph VIII contains procedures proposed for dealing with problems that might arise in insuring compliance with the treaty. It sets forth the basic undertaking to consult and co-operate in solving any such problem. It provides for a Consultative Committee of Experts. It also specifies procedures for submitting complaints to the United Nations Security Council.

The remaining paragraphs deal with such matters as amendments, duration, entry into force, and so forth.

The United States is, of course, aware that many, if not all, countries may wish to transmit the text to their capitals and that discussions during this week will of necessity be of a preliminary nature. We hope, however, that Governments will be able to act quickly on this proposal so that the Committee will be in a position to complete its work as soon as possible, perhaps in time for consideration by the First Committee of the General Assembly at its thirty-fourth session.

Mr. SUJKA (Poland): I propose to address briefly the third item in our schedule of work for the current session of the Committee, namely, "New types of weapons of mass destruction and new systems of such weapons; radiological weapons".

First, however, I should like to say how pleased I am to see you, Mr. Chairman, the representative of fraternal Bulgaria, presiding over our deliberations in this very crucial period of our work. I am confident that your profound experience and dedication to the cause of disarmament will greatly facilitate the achievement of the objectives which we all pursue.

I also take pleasure in associating my delegation with the warm words of welcome which have been addressed to Mr. Jaipal, the distinguished Secretary of the Committee and the Special Representative of the Secretary-General.

(Mr. Sujka, Poland)

As you will agree, Mr. Chairman, the Committee is quite familiar with the subject under discussion and the reasons which led the Committee at the initiative of the Soviet delegation, to focus its attention on this issue. The overriding objective has been all along to erect an effective barrier to halt the technological arms race in the most sinister area -- weapons of mass destruction. The objective has also been to take practical and early measures before any breakthrough occurs in weapons technology, in fact before any research in that area can be undertaken at all.

That objective remains valid today when it is increasingly realized that world peace and security can be assured only on the basis of the principle of equality of the military potential and of equal security of all parties. The recognition of those fundamental principles has made possible the elaboration by the USSR and the United States of the second strategic arms limitation treaty -- SALT-II.

I would even go so far as to say that the recognition of and respect for those principles is what can most significantly promote the timeless aspiration of man for a peaceful future in a disarming world, and for that ultimate and elusive goal of general and complete disarmament.

As it will be recalled, in the joint United States-Soviet Union Vienna communiqué, issued on the signature of the SALT II Treaty, the leaders of the two Powers stated that neither is striving and will not strive for military superiority, since that can only result in dangerous instability, generating higher levels of armaments with no benefit to the security of either side.

I believe that the message conveyed in that statement goes far beyond the mutual relationship of the two contracting parties. Indeed, I believe that we all in this Committee should reflect upon its full meaning and implications for our immediate work. The question of an international convention to outlaw the development, production and deployment of new types of weapons of mass destruction and of new systems of such weapons is the logical next step toward halting the arms race, a step of universal concern underlined in paragraph 77 of the Final Document of the special session.

(Mr. Sujka, Poland)

We face a situation in which we are within reach of achieving the most humanitarian objective -- drafting a document which would decree once and for all that any scientific or technological breakthrough cannot be ever put to use for other than peaceful purposes, that it cannot be turned against mankind.

The elaboration of a universal treaty would provide a legal basis for the domestic legislation of States and would authorize action on an international level in case of proven or suspected activity contrary to its spirit and objectives.

Indeed, over the years we have devoted considerable attention to advancing prospects of such an agreement. In our work we had the benefit of expert advice. Scientific authority was invoked to warn the international community that we are indeed on the threshold of the development -- in the more or less distant future -- of new types of weapons of mass destruction. And yet little has been done to halt the inexorable sword of Damocles.

As we recall, there were many objections and reservations formulated against the proposal to reach an all-embracing, comprehensive agreement. For some delegations such an approach was much too comprehensive; others perceived it as an attempt to interfere with the freedom of scientific research. Yet others appeared incredulous that any additional weapons of mass annihilation would actually be developed, perhaps rightly believing that more than enough are now available. Then there was the inevitable argument -- what about the feasibility of effective verification and control?

Let me deal briefly with those objections.

There is certainly no doubt that the scope of the proposed international convention is broad and universal. But cannot we think of some equally broad and universal agreements in the history of international relations? Cannot we recall treaties that this Committee helped to negotiate whose scope, significance and possibilities of verification are similar to the one we are now examining? The 1971 Sea-Bed Treaty or the Environmental Modification Convention of 1977, to name just two. Are they not useful and effective

(Mr. Suika, Poland)

as armament prevention measures? While they concern environments subjected to extensive exploration and investigation, there are no complaints on record that they hamstring the complete freedom of scientific exploration.

Now, what about proof of the feasibility of new types of weapons of mass destruction? Surely we must not delude ourselves that anyone well advanced in that area would willingly come and testify in this body. Secondly, the history of scientific research points unmistakably to the fact that all major scientific discoveries sooner or later find their way into military applications. Thirdly, waiting for tangible proof may take us to where we are right now -- deliberating over ways of dealing with chemical, nuclear or neutron weapons.

It may therefore be rightly suggested that a little prevention is better than a lot of cure. We reject the theory that the best time for action will come when and if specific types of weapons of mass destruction are proven feasible, when they get to the drawing board. That might be tragically late. Consequently, my delegation submits that the best time to act is now, and that the only way of getting about the task is to draft a comprehensive treaty which would effectively prevent any and all types of new weapons of mass destruction from ever getting to the design stage, let alone assembly line.

And, finally, let us look at the issue of control and verification. It was resolved fairly well in the above-mentioned agreements. It has been settled rather successfully in the SALT II Treaty, although admittedly there are people who would not be persuaded, not of that point. My delegation can think of no reason why an equally effective and satisfactory verification system should not be devised in the case of a comprehensive treaty banning the development, production and deployment of new types of weapons of mass destruction and of new systems of such weapons.

(Mr. Suika, Poland)

My delegation is not one to deny the legitimacy of justified doubt. But then, if we have such doubts about the scope, the reality of the danger or the feasibility of verification -- well, let us call a group of governmental experts, indeed, as suggested some time ago by the Soviet Union. Set up and working under the auspices of the Committee on Disarmament, they could dispassionately examine areas with a potential for the emergence of new types of weapons of mass destruction. A report by such a panel would considerably facilitate and advance our deliberations in that area. Consequently, the Polish delegation fully supports the proposal to organize such a group of experts, and we are prepared to co-operate with such a group to the best of our ability.

Apart from my prepared statement I should like to express the satisfaction of the Polish delegation at the submission by the distinguished representatives of the Soviet Union and the United States of their joint proposal on major elements of a treaty prohibiting the development, production, stockpiling and use of radiological weapons. This is an important arms limitation measure which has been awaited with anticipation. Coming in the wake of the SALT II agreement, it is a significant testimony of the determination of the two negotiating parties to pursue and conclude successfully agreements which they have been seeking in other areas.

We are also hopeful that this welcome agreement represents a valid manifestation of ability and willingness to seek a comprehensive treaty.

My delegation will want to study that document carefully, and wishes to reserve its right to comment on it in some detail at an appropriate time.

We believe that the Committee on Disarmament will find the necessary time and an appropriate method for a further -- and in this case multilateral -- consideration of the document so that it can be presented in a treaty form to the forthcoming session of the General Assembly with a recommendation for its approval.

(Mr. Domokos, Hungary)

There is another subject I should like to dwell on. My delegation was glad to hear that the bilateral negotiations on the banning of radiological weapons had been successfully concluded according to the indication given earlier by the two participants. We whole-heartedly welcome the agreed joint initiative by the Soviet Union and the United States on major elements of a treaty prohibiting the development, production, stockpiling and use of radiological weapons placed on the negotiating table of the Committee only today.

My delegation highly appreciates this joint initiative as the first concrete manifestation of the positive impact the Vienna summit was expected to make on the effectiveness of disarmament efforts in various international forums. We are aware that radiological weapons are not in the possession of any of the States, and that relatively few States have the potential for their development. My delegation, like others in the CD, will also have to study the initiative carefully, to report it to the Hungarian Government and obtain the necessary clearance on it. However, we will spare no efforts in trying to ensure that it becomes a final disarmament treaty as soon as possible, which would be a very promising first step in prohibiting new types of weapons of mass destruction.

To this end, my delegation would propose that the Committee should do its best so that it could report to the thirty-fourth session of the General Assembly not only that the joint initiative had been received but also that the Committee had accomplished a good deal of substantive work on it.

We still have enough time before the session of the General Assembly to accomplish the necessary work and to approve of the initiative in its final form.

Mr. HERDIER (German Democratic Republic): It was at the very outset of the summer session of the Committee on Disarmament that my delegation expressed the view that, owing to the recent improvement of conditions in international relations, it should be possible to obtain specific results in the work of the Committee.

We now take pleasure in finding that those assumptions have obviously been confirmed in the context of the banning of new types of weapons of mass destruction -- a context that is so decisive to the future of man. The German Democratic Republic appreciates, in this connexion, the proposal presented jointly by the USSR and the United States on 10 July on major elements of a treaty prohibiting the development, production, stockpiling and use of radiological weapons.

We consider this result a first step towards a comprehensive and preventive ban on any new types and systems of weapons of mass destruction. The text submitted will be carefully studied by the German Democratic Republic. We feel that the greatest efforts should be made to conclude negotiations in the Committee on a finalized and definite text of the treaty before the end of this year. That would provide an opportunity to submit the draft treaty to the United Nations General Assembly at its thirty-fourth session, and to recommend its presentation for signature and ratification by Governments.

My delegation feels that this first important partial achievement should stimulate and encourage us to discuss more concrete steps on the road leading to a ban on new types and systems of weapons of mass destruction.

The objective of the socialist States is well known. Their intention is to rule out, once and for ever, any misuse of scientific findings and technological potential for the invention of new means of mass destruction. That objective can be achieved by a comprehensive ban of a preventive nature that should take full effect before theoretical knowledge is translated into military applications. This is a notion which has been fully confirmed by all the experience obtained so far with the arms race. This experience has shown that, as soon as a militarily applicable research result had been achieved, certain political forces appeared on the scene trying to push through at any rate the development and manufacture of new weapons, in order to use them as a means of altering the military balance of forces.

Sir James PLIHSON (Australia): This morning I want to talk only on the proposals that have been submitted to us on radiological warfare. The Australian delegation welcomes this initiative by two countries. It is a very good development following out of the meetings between Mr. Brezhnev and President Carter at Vienna. It is welcome for two reasons: one is that it will bring the international community into a field of arms control which has hitherto not been substantially entered by any country. It is always easier to reach an agreement in a field where a vested interest has not yet developed. Now the countries of the world, and particularly the great Powers, have not made radiological weapons part of their arsenal, and we have a real chance, I think, of preventing this happening. This is the first reason why we should welcome it. The second reason is that, although it might appear to be small in itself, it is going to fill part of the total picture that has been sketched out on the control of nuclear and related weapons and potentiality. It is going to be a contribution to the total scheme of control and ultimate disarmament that we are working for.

I would also like to welcome the way in which the two countries have introduced this initiative. They have submitted to the Committee a series of proposals which they had worked out carefully, and put them to us for our consideration. Now this is a very good spirit on their part. They are two countries which, though they have the exclusive competence or interest in this field, have a very particular range of expertise and resources, and so it has been very useful that two of our members in this special position have taken this initiative. Though different forms of disarmament will have to be handled differently, it is in a sense going to be a pattern for the future of some things and, similarly, will be the response of this Committee. We must not approach it in a niggling spirit. We must not approach it in a spirit of wanting to make some amendments just for the sake of making amendments, or asserting the competence or the right of this Committee to do certain things. There has got to be a matching on both sides, and that is the spirit in which the Australian delegation will approach this matter. But we do have to give it careful consideration.

There are several broad points that will need examination by our Governments. One is the definition of the agreement.-- whether it is too wide, in the sense of permitting things which should be controlled; or, alternatively, whether it is too narrow in the sense of not allowing things that States would normally want to engage in. That is one thing we shall all have to look at. Another thing is going to be the

(Sir James Plimsoll, Australia)

peaceful applications of some of these elements and manufactures. Both the representative of the Soviet Union and the representative of the United States in their speeches made it clear that they had recognized the need for peaceful applications. They have recognized the need for the treaty to allow that and not to impede it. So that is the second point that we will all have to bear in mind. And then the third one, of course, which is the most difficult one in many respects, is verification. And here we have to look at it in a way that satisfies us, that we match the requirements with the needs -- which means that we do not necessarily need in this convention enforcement machinery, inspection machinery, verification machinery generally, which is identical with that in other treaties. We have to take account in each of these treaties of the nature of the threat, the likelihood of it becoming a threat.

So these are the sorts of things we have to bear in mind in our considerations and, as I have said, we do not do it in a niggling spirit or with any feeling that we have got to make amendments for the sake of amendments. But we have to do it seriously. We have to remember that this Committee is in a sense a trustee for all the members of the United Nations. They rely on us to make the detailed examination of proposals on their behalf. That means that it cannot be a perfunctory examination. It means that it would not be, I believe, consonant with our duties if we were to refer this matter quickly and without adequate consideration to the First Committee of the General Assembly. We are not here to dump things in the lap of the First Committee. We are here to carry out the preliminary and exhaustive examination so that the First Committee will have some confidence that when something comes before it, it has already been submitted to scrutiny by the major Powers, by a group of other countries representing the broad spectrum geographically and politically of the world. And we will want to take advantage, I think, of any views that may be expressed in the next few months by Members of the United Nations which are not members of this Committee, so that it would be desirable for us to ensure that this draft document is in the hands of other Members of the United Nations.

And if we do do our work responsibly, carefully, it will increase the chances not simply of adoption by the General Assembly -- which is only one step -- but also the chances of wide accession to the treaty by the countries of the world. And that is very necessary because any country which has a developed

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peaceful nuclear industry might very well thereby acquire some capacity to manufacture, acquire and employ radiological weapons. And so we need, if possible, to get the entire world community to accede to this treaty, and in order to do this, as I say, this Committee has to play a responsible part.

Now as far as the Australian delegation is concerned, I must say quite frankly that we are not in a position this week or next week or indeed before this session of the Committee finishes, to give it that scrutiny. I have, naturally, like other representatives here, sent the text to my Government. It will have to be looked at by our experts, not only our scientific experts, but experts who may wish to ensure that peaceful uses, for example, in the medical field, are not being infringed or that dangers are not being left open. There will have to be not simply expert examination; there will have to be a certain amount of consideration and co-ordination between interested parts of our Government, and this will take some time. And I do not believe that it is realistic to expect that this can be done by this Committee before the General Assembly meets this year.

I welcome the fact that the representative of the Soviet Union and the representative of the United States have said that they and their delegations will be available for consultation by any members of this Committee if we have any questions to raise. As I have said, I doubt whether the Australian delegation will be in a position to raise any questions during this session, but I take it that these two Governments are also extending the invitation to us through our respective embassies to raise any questions or to pursue any consultations in Moscow and Washington. And, therefore, if we do not take the ultimate action at this session of the Committee, it does not mean that we are going to be inactive or doing no work. Work will be done in our capitals, it will be done in consultations, and I would suggest that the best line for the Committee at this stage would be to recommend to the General Assembly for adoption a resolution somewhat along these lines. I say along these lines; I am not putting forward a form of words -- "the General Assembly, believing that a treaty on radiological weapons would be a valuable contribution to world peace and security, welcomes the fact that the United States and the Soviet Union have submitted to the Committee on Disarmament for its consideration draft proposals for a treaty on radiological weapons; notes that the Committee on Disarmament has begun consideration of the question of radiological weapons and specifically of this proposal; requests the Committee on Disarmament to submit to the General Assembly for its consideration, at the thirty-fifth session, (namely, next year's session) a draft treaty on

(Sir James Plimsoll, Australia)

radiological weapons". Now that would ensure first that, through our report, the countries of the world, Members of the United Nations, had before them the text of this draft proposal and some account of any discussions we have had, and secondly it would also enable the General Assembly to record its consensus of what we are doing to welcome the United States/Soviet proposal and to give us a firm deadline for coming up with a treaty. I do not think it would be wise to say that it has to be completed at our next session, but at this stage I think that would be a good objective. However, it may well be that further questions will arise for clarification or that we might have another priority early next year, particularly with the Review Conference of the Non-Proliferation Treaty coming up.

Now what I am suggesting is not in any way disparaging the importance of this subject or the need for haste; quite the contrary, it is because we think it is important that we believe this Committee should approach it with a full sense of the importance of the matter, with a full sense of the significance of what has been proposed to us, and by doing so help to ensure that the widest possible range of countries will accede to the treaty when it is approved by the United Nations General Assembly.

Mr. SOLA VILA (Cuba) (translated from Spanish): Comrade Chairman, it is a pleasure for my delegation to see you presiding over the deliberations of the Committee on Disarmament during the month of July; you come from a brother country -- Bulgaria -- with which Cuba maintains the most profound and fraternal relations of friendship and co-operation. We are sure that, under your able leadership, the Committee will make progress in the task before it during this final stage of its work for this year. You may count on the support and co-operation of my delegation to that end.

I also take this opportunity to express to your predecessor, Ambassador Celso Antonio de Souza e Silva of Brazil, our most sincere appreciation for the work accomplished during the month of June. I should also like to extend the warmest welcome to our colleagues, Ambassador Alberto Dumont of Argentina, Ambassador Sir James Plimsoll of Australia, Ambassador Kasem Radjavi of Iran, and Ambassador Felipe Valdivieso of Peru, and to express the greatest satisfaction at the designation of Mr. Jaipal, of India, as Secretary of this Committee. We are well acquainted with his experience and wisdom, which will surely make a valuable contribution to the success of the work of this multilateral disarmament negotiating body.

(Dr. Sola Vila, Cuba)

In accordance with the timetable adopted for our summer session, the Committee on Disarmament is now considering item 5 entitled "New types of weapons of mass destruction and new systems of such weapons; radiological weapons". My delegation welcomes the joint proposal submitted by the Soviet Union and the United States on major elements of a treaty prohibiting the development, production, stockpiling and use of radiological weapons, contained in documents CD/31 and CD/32; this joint initiative is consistent with paragraph 76 of the Final Document of the special session of the General Assembly devoted to disarmament, which states: "76. A convention should be concluded prohibiting the development, production, stockpiling and use of radiological weapons."

My delegation has taken note not only of this draft treaty, but also of the statements made by the representatives of the Soviet Union and the United States, and will carefully consider all the elements in question, so that it may collaborate in ensuring that the treaty will constitute a further contribution to general and complete disarmament.

For my country, as for those countries at present engaged in a stubborn struggle for economic, social and other forms of development, this question is of special importance. It is alarming to note the figures of current expenditure for military purposes -- approximately \$410 billion a year, about \$1 million per minute on the arms race -- while the vital needs of most of the world -- health, education and nutrition -- remain unsatisfied. Today, the countries of the so-called third world have increased their military expenditures from 4 to 14 per cent, unquestionably as a result of the prevailing world situation, a subject which we do not intend to go into here, in this negotiating body, the task of which is to arrive at concrete measures for disarmament.

It is the developed countries that stand out because of their use of their scientific and technological resources for military purposes. It is in these countries that a large proportion of the labour force works in industries specializing in the production of military goods; the developing countries, in

(Mr. Sola Vila, Cuba)

many cases with extreme difficulty, are using science and technology to solve problems of their very survival. It is vital, therefore, that the Committee on Disarmament should make progress in that regard. The international community is awaiting from us measures which will contribute to the improvement and final solution -- of the problem of halting the arms race.

One need only ask what would happen if the expenditure on research and advances in science and technology were used not for military purposes but for scientific purposes. The answer is not difficult; the utmost efforts must be made towards that end; we must prevent advances in science and technology from being used for military purposes; we must prevent such new weapons of mass destruction from coming into being. It is not logical, nor is it in keeping with the aspirations of mankind, that we should wait until such new weapons have been developed, until they come into being, before "calmly" beginning to consider how to prohibit them. What we must do is to ensure that they are not produced in the first place.

Paragraph 77 of the Final Document of the special session devoted to disarmament states:

"In order to help prevent a qualitative arms race and so that scientific and technological achievements may ultimately be used solely for peaceful purposes, effective measures should be taken to avoid the danger and prevent the emergence of new types of weapons of mass destruction based on new scientific principles and achievements. Efforts should be appropriately pursued aiming at the prohibition of such new types and new systems of weapons of mass destruction. Specific agreements could be concluded on particular types of new weapons of mass destruction which may be identified. This question should be kept under continuing review".

From a careful examination of this paragraph, we reach the conclusion that the most appropriate and most effective approach is to put into practice the part which states: "Efforts should be appropriately pursued aiming at the prohibition of such new types and new systems of weapons of mass destruction".

(Mr. Sola Vila, Cuba)

In that regard, my delegation believes that the consideration of this topic is clearly consistent with resolution 3479 (XXX) and resolution 33/66 B, paragraph 1 of which states:

"Requests the Committee on Disarmament, in the light of its existing priorities, actively to continue negotiations, with the assistance of qualified governmental experts, with a view to agreeing on the text of an agreement on the prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons, and to expedite the preparation of specific agreements on particular types of such weapons".

We support this proposal. If, for example, an agreement of this type had existed, perhaps it would have prevented the manufacture of the neutron bomb, which was utterly rejected by the whole international community.

We do not share the view that agreements can be concluded when it becomes possible to identify different types of weapons. That approach leaves the door open for the continued use of scientific and technological advances for the development and manufacture of new weapons, even more lethal and refined than those already in existence.

We also base our position on the conviction that the text of any agreement that might be arrived at by a group of governmental experts would be paralleled by objective studies of the question. That would constitute a further contribution to the valuable reports on disarmament already prepared, and consequently a further step towards general and complete disarmament.

We believe that, if, in its report to the thirty-fourth session of the United Nations General Assembly, in addition to submitting the draft treaty on radiological weapons, the Committee also reports its agreement that the group of experts in question should work on negotiating the text of a treaty prohibiting the development and manufacture of new types of weapons of mass destruction and new systems of such weapons, this would be welcomed wholeheartedly by the majority of members of the supreme world organization.

Mr. FREITZER (Federal Republic of Germany): It is my privilege and my pleasure to welcome the Italian Ambassador, Marquis Vittorio Cordero di Montezemolo, as head of his delegation in the Committee on Disarmament. I am very confident that we shall enjoy with him the same cordial and friendly co-operation we had with his predecessor, Ambassador Nicolo Di Bernardo. Please convey to Ambassador Di Bernardo our best wishes.

This week's discussions in the Committee on Disarmament are devoted to "New types of weapons of mass destruction and new systems of such weapons; radiological weapons".

We are glad to note that, at our last meeting the two negotiating parties, the United States of America and the Soviet Union, introduced to the Committee in two separate letters an "Agreed joint US-USSR proposal on major elements of a treaty prohibiting the development, production, stockpiling and use of radiological weapons". I congratulate the two parties on the success of their joint efforts. I take it as a good omen for the future endeavours of the two parties to work out other joint proposals, perhaps covering even more important issues of disarmament.

My delegation neither overestimates nor underestimates the importance of the issue at stake. We regard it being important that a possible new means of warfare is covered by the proposal with the aim of excluding its development and application once and for all.

What is termed "elements" in the draft before us is a rather complete text already formulated in treaty language. Only the preamble is missing. But I think the Committee will not only concentrate on the missing preambular part, but also deal with the other elements of the treaty text.

My delegation is prepared to contribute actively and constructively to the deliberations in the Committee on Disarmament in order to give the joint proposal its final structure and shape. We share the views of those speakers who expressed their support for the proposal, but made it clear at the same time that the Committee does not feel it is under a particular time pressure to finalize its deliberations.

Full use should be made of the capacity and capability of Committee members to work out a treaty which will receive, upon its presentation, the unanimous support of the United Nations. The Committee should set an example by tabling a comprehensive treaty to which the overwhelming majority of States will accede. The Committee should therefore consider carefully how it can best organize the negotiation of the treaty.

(Mr. Pfeiffer, Federal Republic of Germany)

My delegation feels that there will be a more appropriate opportunity at a later stage to deal more specifically with the elements of the joint proposal before us. We listened carefully to the explanations given to us by the two authors of the proposal during our last plenary.

I may, nevertheless, be allowed to touch briefly on two aspects which, for my delegation, are of particular importance. First, it must be made clear beyond any doubt that the treaty does not apply to -- as stated by United States Ambassador Fisher in presenting the proposal -- "any of the myriad uses of radiation from radioactive decay for peaceful purposes". The peaceful use of radiation must remain fully assured.

The second point I would like to touch upon is the verification system as envisaged in the joint proposal. It is identical with the system included in the Convention of the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques (ENMOT). We may go along with it, but it is our understanding that the verification system provided for in the treaty prohibiting radiological weapons is completely without prejudice to and not binding for any other real disarmament agreement which will be negotiated in the future. Agreements which require, inter alia, actual weapons destruction need a very different verification system.

Returning briefly to the item under discussion, namely, "New weapons of mass destruction and new systems of such weapons", I should like to reiterate my delegation's well-known position that these weapons have to be dealt with not in a general agreement, but on a case-by-case basis. We believe that a meaningful prohibition of weapons of mass destruction can be achieved only by defining these weapons in separate agreements and at the same time by defining an adequate verification system which guarantees the observance of all parties of their commitments.

Mr. ISSRAELIAN (Union of Soviet Socialist Republics) (translated from Russian): In accordance with the programme of work we have approved, the Committee on Disarmament has begun consideration of the question of the prohibition of the development and manufacture of new types and systems of weapons of mass destruction.

(Mr. Ismaelov, USSR)

In the context of the present scientific and technical revolution, unprecedented scientific progress is inevitably accompanied by an increasing danger that scientific and technical achievements will be used to develop new weapons, and in particular new types and systems of weapons of mass destruction. It is well known that the press and scientific and military circles in a number of countries are discussing in depth the question of using -- for the purpose of causing destruction, damage or injury -- various physical phenomena which were previously not employed for such purposes and which can be used to develop new types of weapons of mass destruction.

In taking the initiative on this question in the United Nations, the Soviet Union drew the attention of the international community to the danger threatening it. Discussion of the matter in the United Nations and in the Committee on Disarmament has quite clearly revealed that an overwhelming number of States in the world understand the need to prevent the achievements of scientific and technological progress from being used for the purpose of developing new types and systems of weapons of mass destruction. The manifestation of that understanding is already an important result of the discussion of the question. The determination to prevent the dangerous evolution of events is reflected in a number of General Assembly resolutions, including the Final Document adopted by the special session of the General Assembly in 1978. However, there is still no unanimity on specific ways of solving the problem.

The Soviet Union is making considerable efforts to put into practice the idea of prohibiting the development and manufacture of new types and systems of weapons of mass destruction.

As is well known, as long ago as 1975, the Soviet Union submitted a draft international agreement on the prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons. The General Assembly recommended that the Disarmament Committee should work out the text of such an agreement. The Soviet Union, taking into

(Mr. Israelyan, USSR.)

account the comments and wishes expressed by a number of States during the subsequent discussion of the problem, submitted an expanded draft agreement to the Disarmament Committee in August 1977. This document envisaged (a) the comprehensive prohibition of the development and manufacture of new types and systems of weapons of mass destruction, with a list of examples of the specific types to be prohibited; (b) the possibility of supplementing the initial list in the future; and (c) the possibility of concluding separate agreements on specific new types of weapons of mass destruction.

In the view of the Soviet Union, the road to a comprehensive solution of this problem is the most straightforward and reliable. Naturally, in proceeding towards the objective, not only main highways but also byways can be used. However, it is important that all these ways and paths should meet at the same point.

As is known, the bilateral negotiations conducted with the United States since 1977 on the preparation of a joint proposal on the prohibition of radiological weapons led to the achievement of an understanding on major elements of a treaty prohibiting the development, production, stockpiling and use of radiological weapons. The joint Soviet-United States proposal on this question was submitted to the Committee at its last meeting.

The Soviet Union is also prepared to adopt the same constructive approach in future to the search for measures to prevent the emergence of separate new types and systems of weapons of mass destruction. In addition, we should like once more to emphasize that the conclusion of separate agreements, notwithstanding their importance, does not offer a solution to the problem of completely sealing off specific avenues of the arms race, but rather increases the need for it.

Mr. STIARD (Canada) (translated from French): As many other delegations have done before me, I should like to take this opportunity to express the Canadian Government's satisfaction at the submission of the joint USSR-United States proposal on major elements of a treaty prohibiting the development, production, stockpiling and use of radiological weapons. Although the draft agreement concerns a ban on weapons which do not exist, in view of our concern to curb technological developments which stimulate the arms race (a concern which led to our proposal to prohibit the production of fissionable material for weapons purposes), we are gratified that the text is before the Committee on Disarmament. We also hope that the other bilateral negotiations between the United States and the USSR will have a similarly successful outcome.

In view of our heavy programme of work, we do not think it will be possible really to come to grips with the problem of drawing up a treaty to prohibit such weapons within the short time still at our disposal. Our respective Governments will also need time to study the text which has just been submitted to us. We would, for example, in particular like to study the implications of the verification procedure for other disarmament agreements. As regards the procedure envisaged for the review of the treaty, we wonder whether a 10-year period before the first conference is not too long. Paragraph VI on measures to prevent loss and diversion will require careful study. As other delegations have suggested, we hope that the Committee on Disarmament will take note of this development in its annual report, but we do not think it will be possible to start negotiations before our next session.

Mr. CORDERO DI MONTENZIOLO (Italy): As I am taking the floor for the first time, I should like to avail myself of this opportunity to convey to you, Mr. Chairman, my sincere congratulations on your assumption of the chair of the Committee for the current month.

May I also express to you and to the other distinguished colleagues who welcomed me in my new capacity of leader of the Italian delegation my gratitude and my desire to develop with all of you the most co-operative and friendly relationship.

Today it is my intention to refer specifically to the problem of the prohibition of radiological weapons, a subject on which the attention of our Committee was already focused last week.

(in. Conferenza di Montezemolo, Italy)

On 10 July, the United States and Soviet delegations jointly presented to the Committee on Disarmament a parallel proposal "on major elements of a treaty prohibiting the development, production, stockpiling and use of radiological weapons".

My delegation, at this juncture, would like to place on record its appreciation for the positive conclusion of the bilateral talks on this matter. The joint initiative is considered by the Italian Government as a meaningful expression of the renewed dedication and commitment of the two major military Powers to the search for concrete measures aimed at controlling the various aspects of the arms race.

As Ambassador Fisher, the distinguished representative of the United States, pertinently recalled in introducing this proposal, radiological weapons "have long been identified as potential weapons capable of mass destruction".

As early as 1948, the first resolution adopted by the Commission of the United Nations for Conventional Armaments stated that weapons of mass destruction had to be defined to include atomic explosive weapons, radioactive material weapons, lethal chemical and biological weapons, and any weapons developed in the future with characteristics comparable in destructive effects to those of the atomic bomb or the other weapons noted above.

More than 30 years have passed. However, the 1948 definition has never been challenged in its substance and continues to maintain, in our view, its full validity. Bearing this in mind, my delegation considers the prohibition of radiological weapons a commendable and responsible step forward in efforts to bring about real disarmament under effective international control.

In welcoming the joint United States/USSR proposal, we all realize that the implications of the prohibition of radiological weapons clearly extend beyond the bilateral relations of two States.

As a number of previous speakers have noted, and I should like in particular to quote Ambassador Israelyan, the distinguished representative of the USSR:

"The importance of preventing the emergence of this type of weapon of mass destruction is also connected with the fact that the rapid development of nuclear energy and technology in many countries of the world creates objective conditions for the large-scale proliferation of radioactive materials which, being what they are, may be used in radiological weapons. Such use of radiological materials may become technically accessible for a very large number of States".

(Mr. Cordaro di Montezemolo, Italy)

In this light we feel that the Committee on Disarmament has the duty to give careful and in-depth consideration to the elements agreed upon by the parties to the bilateral negotiations with a view to working out the text of a multilateral agreement acceptable to all members of the Committee.

My delegation will give the draft proposal before us serious consideration, and is certainly willing to participate actively in the negotiations which are to be opened on this matter in our Committee. However, we need a reasonable period of time to study it and to make clear our mind.

I understand that other delegations are in the same position and will need some time to consult their Governments and get instructions for a constructive discussion.

Furthermore, we should not forget that our Committee has already a heavy schedule for the few weeks preceding the closure of the present session. This schedule includes consideration of high-priority problems such as the prohibition of chemical weapons and the nuclear test ban and, in addition, the preparation of a report which will require special attention, being the first report of the Committee on Disarmament since its enlargement and renovation.

The assessment of the elements proposed by the United States and the USSR and the elaboration of a final draft agreement will possibly require the establishment of a drafting group, which would have difficulties in holding its meetings at this stage concurrently with other working parties already set up for other, more urgent purposes.

As I have indicated, it is too early, at least for my delegation, to comment in detail on the elements of the joint proposal.

Permit me, however, to refer briefly to two questions of great importance to my Government on which sensible remarks have already been made by Ambassador Pfeiffer in his statement of 12 July 1979.

The first one is the question of the use of radiation from radioactive decay for peaceful purposes. In this connexion, I would like to stress that it is the understanding of the Italian Government that no obligation assumed under the projected treaty on radiological weapons can be interpreted as limiting or hindering the right of all States to peaceful applications of radiation from radioactive decay.

The second problem is verification. My delegation has taken due note of the treatment given to this key issue in the draft proposal. The approach envisaged is closely modelled on a pattern already adopted for the TBMOD convention

(Mr. Cardero di Montezemole, Italy)

and my delegation has no major difficulties with it. It is our interpretation, however, that such an approach does not constitute a precedent for other disarmament agreements, each disarmament agreement demanding, in our view, specific verification provisions corresponding to the nature and scope of the prohibition.

Having said this, I can assure the Committee that my delegation intends to participate fully in the consideration of the United States/USSR joint proposal, in the co-operative and constructive spirit we think should inspire the attitude of all delegations toward serious proposals put forward in this multilateral negotiating body.

And this is, in our view, not only a serious proposal but an important contribution to the achievement on an ad hoc basis of specific and adequately verified agreements aimed at preventing or limiting the development, production, stockpiling and use of clearly-identified categories of weapons of mass destruction.

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Mr. ISSRAELYAN (USSR) (translated from Russian): The Soviet delegation would like today to touch on an important organizational matter. Clearly the time has come for the Committee on Disarmament to decide on the date for the closure of the second part of its 1979 session.

Under rule 7 of the rules of procedure, the date for the closure of the session has to be determined, taking into account the requirements of the Committee's work. At the present time, the Committee on Disarmament is faced with a number of questions that must be considered extremely carefully. They include, first of all, the draft treaty on the prohibition of the development, production, stockpiling and use of radiological weapons. We think that the Committee on Disarmament should do all it can to ensure that, at this very session, everything possible is done to take the draft treaty further. Naturally, a study of the joint Soviet/United States initiative will need a certain amount of time, and we hope that delegations will soon receive the necessary instructions. A number of delegations, in particular, those of the Netherlands, Canada and Italy, have already asked us for explanations, and have, in an informal way, expressed some preliminary views. More time must obviously be allotted, therefore, for the consideration of the joint Soviet/United States draft.

Mr. VOUTOV (Bulgaria): At this meeting our delegation would like to address itself to one of the important questions of the second part of the annual session of the Committee, radiological weapons, and namely to working papers CD/31 and CD/32 introduced by the delegations of the Soviet Union and the United States and containing a proposal on major elements of a treaty prohibiting the development, production, stockpiling and use of radiological weapons.

The distinguished members of the Committee are well aware of the attachment of mine and of many other delegations to the idea of a comprehensive prohibition of new types of weapons of mass destruction and new systems of such weapons. We are in favour of a comprehensive approach to this problem, an approach which, combined with political will and concern for the future of humanity, could block the way to the ever deadlier new types and systems of weapons of mass destruction.

(Mr. Voutov, Bulgaria)

At the same time, however, displaying a constructive spirit and a sincere aspiration to achieve any meaningful step whatever in the field of disarmament, we supported the idea of a certain group of delegations in this Committee to concentrate especially on the problem of radiological weapons. I hope that a number of delegations in this hall may recall that the Bulgarian delegation has shown purposeful participation in the numerous discussions on the problem of new weapons of mass destruction and particularly on radiological weapons, both with and without participation of relevant experts.

Welcoming the joint USSR-United States proposal on radiological weapons, and looking forward to a similar productive outcome in other well-known areas, we are taking into account the fact that, unfortunately, we have come too near to the end of our annual session, and there seem to be objective difficulties in arranging a full-fledged discussion in the Committee resulting in a negotiated draft treaty for presentation to the thirty-fourth session of the General Assembly.

At the same time, we note with satisfaction the extent of the preliminary discussion of the proposed draft which took place at the informal meetings. We see the usefulness of these sessions in the fact that it is only natural that the first comments, questions and clarification should take place in this body, composed of highly-qualified professionals, who no doubt provide first-hand assessments and advice to their Governments. All the points touched upon during this off-the-record debate are a contribution to the clarification of different aspects of the problem, thus bringing us closer to finalization of the future treaty, which hopefully will be welcomed and adhered to by the widest possible majority of the world community. In this connexion I would like to mention not only the introductory statements and an expert's view presented by the delegations of the Soviet Union and the United States, but also the comments and the pertinent questions asked on behalf of a number of delegations. Not only did they not provoke bursts of laughter, as a highly respected Ambassador and a distinguished friend of mine feared they might, but on the contrary our delegation regards them as a contribution to the businesslike and creative atmosphere that happily prevails in this body.

Since my delegation has received instructions on its participation in the outlawing of radiological weapons, I would like to make some comments on the meaning, the character and the substance of the future treaty the foundations of which, and I believe this is generally agreed, are readily available to us in the proposed major elements elaborated diligently by the delegations of the Soviet Union and the United States.

(Mr. Voutov, Bulgaria)

Firstly, the treaty on the banning of radiological weapons is to be the first international legal instrument outlawing a type of weapons which, though still non-existing, is clearly seen on the horizon, as vividly outlined by the Soviet expert Colonel Surikov at the last informal meeting. May I underline at this point that I fully share the view of the distinguished representative of Australia, that this is yet another reason for us to hurry up and exclude the dangerous prospect of having some 50 States in the world armed with weapons that are not so distantly related to the nuclear weapons.

Secondly, my delegation readily agrees that against the background of the existing nuclear arsenals the ban on radiological weapons could not be considered as an outstanding achievement, but the treaty certainly has merits of its own when seen against the rapidly expanding peaceful nuclear activities of mankind. Having in mind this, as well as the new possibilities for rapidly increasing the efficiency of weapons based on radioactive materials, we believe that an international treaty to block this avenue in the arms race has its rightful place and significance in the work of this Committee.

Undoubtedly, assessing the true value of a ban on radiological weapons, we should not fail to take into consideration the growing problems of storing and disposing of spent fuels from peaceful nuclear activities, now that the enrichment and fuel-cycle questions have turned out to be more complicated than previously believed. By no means should we permit that the radioactive materials, or radioactive waste for that matter, be turned into a new type of weapons of mass destruction.

Thirdly, the major elements of the future treaty reflected in documents CD/31 and CD/32 are acceptable to the Bulgarian delegation. In our opinion there are all the necessary prerequisites for achieving an effective ban on this new type of weapons of mass destruction. The future treaty should be properly integrated in the framework of the existing international legal arrangements in this field -- I have in mind the Non-Proliferation Treaty and the Geneva Protocol of 1925, without prejudice to the obligations or rights of States under those two instruments.

Fourthly, we share the view expressed during our preliminary discussions by the delegation of the Federal Republic of Germany concerning the influence of the future treaty on peaceful nuclear activities of the signatory States. As a country with a considerable peaceful nuclear programme, both in energy production and in other fields of our economy, we note with satisfaction the relevant texts, as well as the assurances of the authors of the joint proposal that nothing in the future treaty shall impede the multi-faceted peaceful use of radiation.

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Mr. LIDGREN (Sweden): From the Swedish side we have so far obtained from more detailed comments on the joint Soviet-United States draft convention on the prohibition of radiological weapons. We have, however, now carefully studied the relevant documents, and are prepared to enter into negotiations on a convention in the course of this session. It may be recalled that the question was first raised at the twenty-fourth session of the General Assembly, in 1969, which in resolution 2602 invited the CCD, inter alia, to consider effective methods of control against the use of radiological methods of warfare conducted independently of nuclear explosions.

The matter was discussed in the CCD in 1970. The Netherlands delegation presented a working paper (CCD/291) in which it stated that, "judging by the available information, possibilities for radiological warfare do exist theoretically but do not seem to be of much or even of any practical significance". The Swedish delegation stated on 3 August 1970 that the Swedish National Defence Research Institute had devoted some energy to exploring the subject and had come to the same conclusion as the Netherlands Delegation.

Recent investigations undertaken by my Government essentially confirm the validity of our 1970 conclusion. The danger posed by the possible use of radiological weapons is indeed limited as compared to the immensely much graver danger from radioactive substances produced by nuclear weapons, particularly weapons with dirty design or excessive yield. Abiding by paragraph 76 of the Final Document of the special session, we are, however, willing to participate in the negotiation of a convention on radiological weapons. We are also of the opinion that we in this endeavour should constructively survey the whole related sector of possible future weapons of warfare methods in order to make the negotiations as meaningful as possible.

Thus, even if we deliberately exclude nuclear weapons from the purview of the envisaged convention, we should in the preamble refer to the priority we give to nuclear disarmament, in order to prevent any misconception that the convention on radiological weapons is to be regarded as a substitute.

In the definition of radiological weapons, in the proposed article II the concept of a "nuclear explosive device" is used. This concept has, however, not been used in any previous convention. It will no doubt be used again in a future nuclear-test-ban treaty. A co-ordination has to be considered so that we use the same definition in both conventions.

(Mr. Lidgard (Sweden))

My delegation wishes, however, to draw attention to another, may be still more important, aspect of the definition of radiological weapons, namely that it does not seem to include so-called particle-beam weapons, which give ionization radiation in another way than through radioactive decay. Particle-beam weapons may be of the same hypothetical character as the radioactive weapons which are dealt with in the draft convention, but in order to prevent a possible weapons development in the future, it is our conviction that it might be appropriate to explore if particle-beam weapons should be included among the prohibited radiological weapons or if they should be outlawed in another context, which may seem more expeditious.

In introducing the draft, the Soviet and United States delegates made one identical statement, namely that "no obligations undertaken by States in the projected treaty will be interpreted as covering the use of radioactive materials or any sources of radiation for the purpose of any activity except such activities as the parties to the treaty have undertaken not to engage in pursuant to the provisions of the treaty". My delegation would like to have some clarification of this statement. Do the two negotiators have any particular activity in mind?

In the discussion in the Committee last year, it was pointed out that the prohibition of the dissemination of radioactive material in articles II and III also was intended to cover actions for defensive purposes. We think that this should be stated explicitly in the convention.

In article III of the draft convention, the deliberate dissemination of radioactive material which is not produced by a nuclear explosive device is prohibited, if the intention is to cause destruction, damage or injury by means of the radiation produced by the decay of such material. We should, however, be aware that military attacks or deliberate damaging in war of nuclear reactors or other nuclear-fuel-cycle facilities may cause the release of dangerous radioactive substances, which may imply considerably larger risk of damage and injury than that from direct spread of such substances. We therefore consider that this problem should be taken into account when we consider article III or generally the scope of the convention.

Prohibition of such military action has been prescribed in the Protocols additional to the Geneva Conventions of 1949 (Protocol I, art. 56, and Protocol II, art. 15), but the prohibition is limited to the purpose of the protection of civilians and refers only to "nuclear electrical generating stations". For the purpose of a treaty prohibiting radiological warfare, we should consider such a ban to be without operational exceptions and to cover all facilities containing large amounts of radioactive substances.

(Mr. Lidgard (Sweden))

The provisions of article VI of the draft convention seem to bear some relationship to the recently concluded Convention on the physical protection of nuclear material. Some explicit reference therefore seems worth considering, either in article VI or in the preamble.

In that context it might be explored whether IAEA safeguards should be applied, as modified for this purpose, to all radioactive waste in the States parties to the future convention. Because of the risks of hostile use of radioactive substances by terrorists, it may also be considered whether the Convention on the physical protection of nuclear material should be extended to radioactive waste.

As regards the complaints procedure in the draft treaty, we have some serious concern. The only instance which may decide upon the complaint of a State party against another State party because of an alleged breach of obligations deriving from the provisions of the treaty is the Security Council of the United Nations. As long as the permanent members may exercise their right of veto in such matters, we consider this procedure insufficient.

Finally, we also consider the proposed period of ten years from the entry into force of the convention till the first review conference too long, taking into account the rapid development in the field of nuclear technology, and also in view of the fact that the definition of the concept of "nuclear explosive device" in a nuclear-test-ban treaty might affect the scope of the convention on radiological weapons. We consider five years a more appropriate time length.

These are some of the considerations which we would like to present on this occasion. When we come to the stage of a more detailed examination of the matter, we may have additional observations and suggestions.

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MR. KÓMIVES: (Hungary)

I would like to confine my present statement to the problem of the convention prohibiting the development, production, stockpiling and use of radiological weapons.

We may recall paragraph 76 of the Final Document of the special session, which calls for an international convention prohibiting this type of weapon. In view of this part of the Final Document and of the expectations generated by the Vienna summit as regards the increased effectiveness of the disarmament efforts made in different international fora last year, my delegation, together with several others, welcomed the presentation by the delegations of the Soviet Union and the United States of the agreed joint USSR-United States proposal on the major elements of a treaty prohibiting the development, production, stockpiling and use of radiological weapons. In its formal and informal meetings, the Committee gave preliminary consideration to this proposal. The Hungarian delegation was willing to go further, and in order to facilitate the work of the Committee submitted its working paper CD/40. However, the Committee did not find it possible to start the drafting of that convention.

The General Assembly at its thirty-fourth session paid due attention to the subject, and in its resolution 34/87A, adopted unanimously, requested the Committee to reach agreement on the text of such a convention as soon as possible. The

(Mr. Kónives, Hungary)

Hungarian delegation is of the opinion that the Committee should respond to this request and do its best to accomplish the elaboration of the draft convention and to present it to the thirty-fifth session of the General Assembly.

I was pleased to hear delegations state their readiness to enter into concrete negotiations, but I cannot hide my disappointment that, irrespective of this readiness, the Committee for one reason or another has not started the necessary negotiations.

In proposing that concrete work should be embarked upon, my delegation's point of departure is that the joint initiative submitted by the USSR and United States provides a reliable basis for the elaboration of a convention. It is the product of protracted bilateral efforts, a balanced, properly structured document, reflecting the political and technical expertise of its negotiators. The final aim of the convention is clearly defined: to prevent the misuse of radioactive materials which are in growing quantities in the possession of a steadily increasing number of States. The amount of radioactive materials is likely to expand further at an increasing pace in view of the growing number of nuclear reactors and plants. It is in the common interest of all States that these materials should not be used for military purposes.

This purpose of the treaty is strongly supported and advocated by my Government. It may be pertinent to draw the attention of the Committee to the fact that the Parliament of the Hungarian People's Republic enacted a law on 6 March 1980 regulating various aspects of the peaceful uses of nuclear energy. In accordance with the efforts made by the Hungarian People's Republic in various international fora, the law declares that, in my country, atomic energy can be used only for peaceful purposes.

The document submitted by the delegations of the USSR and United States, in the view of my delegation, gives a clear definition of radiological weapons

(Mr. Köniives, Hungary)

as "any device, including any weapon or equipment, other than a nuclear explosive device, specifically designed to employ radioactive material by disseminating it to cause destruction, damage or injury by means of radiation produced by the decay of such material". It contains adequate provisions to prevent the development, production, stockpiling and use of such weapons. The document pays due attention to the generally-recognized need of the peaceful uses of radioactive materials as well.

My delegation is of the view that the procedure of verification and complaint is adequate, commensurate with the nature and scope of the treaty.

The document contains -- as indicated in its title -- only the major elements of a future convention. The task of the Committee therefore is to transplant its contents into a treaty framework and to provide its missing elements. It was in this very spirit that my delegation submitted its proposal for the preambular part of the convention, trying to concentrate on the main guidelines and principles involved. My delegation is giving careful consideration to the proposal made by the Swedish delegation that a reference should be made in the preamble to nuclear disarmament.

Concerning procedural aspects, my delegation is of the view that a working group with an appropriate mandate is the proper framework for accomplishing this task. It should start its work as soon as possible, taking also into account the fact that delegations will need some time to place their experts at the disposal of the group, as their presence will be indispensable in the drafting process.

In concluding, I would like to assure the Committee once again that the Hungarian delegation stands ready to make its contribution to the efforts of the Committee so that an agreed draft convention can be presented to the thirty-fifth session of the General Assembly.

Mr. ISSRAELIAN (Union of Soviet Socialist Republics) (translated from Russian): At the previous session of the Committee on Disarmament in July 1979, the delegations of the Soviet Union and the United States submitted an agreed joint USSR-United States proposal on major elements of a treaty prohibiting the development, production, stockpiling and use of radiological weapons. The purpose of this joint initiative was to prevent the emergence of one of the new types of weapons of mass destruction which, if developed and used, would result in massive loss of human life and would have exceptionally dangerous consequences for mankind. The importance of preventing the emergence of this kind of weapon of mass destruction also bound up with the fact that the rapid development of nuclear energy and technology in many countries of the world creates the possibility of the wide dissemination of radioactive materials suitable for use in radiological weapons. In present conditions, the use of radioactive materials for this purpose may become technically possible for quite a large number of States.

The Soviet Union has always regarded the prohibition of radiological weapons as part of the problem of the comprehensive prohibition of new types and systems of weapons of mass destruction. We are convinced that an international agreement on the prohibition of radiological weapons will represent an important contribution to the cause of détente, curbing the arms race and ridding mankind of the danger of the development of new lethal weapons.

There is broad international agreement on the question of the need to prevent the possible emergence of radiological weapons.

This is demonstrated by the resolution adopted at the thirty-fourth session of the General Assembly of the United Nations in which the Committee on Disarmament is requested to continue negotiations at the earliest possible date with a view to reaching agreement on the text of such a convention and to submit a report on the results achieved to the General Assembly for consideration at its thirty-fifth session.

At its last session, the Committee on Disarmament began considering the joint USSR-United States proposal on the prohibition of radiological weapons. In the course of the discussions, which were preliminary in nature, certain delegations made a number of comments on the substance and form of the future convention. In particular, proposals were made by the delegation of Hungary concerning the draft preamble (CD/40) and by the delegation of the German Democratic Republic concerning paragraphs XI and XII (CD/42).

In statements made in the course of the work begun this year in the Committee on Disarmament, a number of delegations reaffirmed the need for the urgent consideration of the question of the prohibition of radiological weapons at the Committee's current session and made a number of comments on the substance of the problem.

(Mr. Issraelyan, USSR)

In the view of the Soviet delegation, there is at present a real basis on which to conclude work on a draft convention on the prohibition of radiological weapons in the course of the Committee's current session. The ad hoc working group which should be set up for this purpose could base its work on General Assembly resolutions 34/79, entitled "Prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons", and 34/87, entitled "Conclusion of an international convention prohibiting the development, production, stockpiling and use of radiological weapons". It would have at its disposal the "Agreed joint USSR-United States proposal on major elements of a treaty prohibiting the development, production, stockpiling and use of radiological weapons" (CD/31 and CD/32), as well as a number of proposals made by delegations of countries members of the Committee on Disarmament.

The joint USSR-United States proposal submitted to the Committee was the result of many years' work by the delegations of the USSR and the United States in bilateral talks involving qualified government experts. The proposal was formulated in the light of compromises concerning specific aspects of the problem of the prohibition of radiological weapons and a number of delicate questions relating to that problem.

In the course of the negotiations, both sides proceeded on the basis of a clear understanding that the activities to be prohibited by the treaty are very closely and extensively linked with the various multi-level activities of States concerning the use of radioactive materials for purposes bearing no relation to radiological weapons. The joint proposal also contains a provision concerning the peaceful use of radioactive materials.

The Soviet delegation considers that the working group could begin its work immediately, where necessary calling upon special government experts, with a view to submitting an agreed draft convention on radiological weapons by the end of the Committee's current session. The formulation of such a convention would represent an important practical step towards resolving the problem of prohibiting new types and systems of weapons of mass destruction and ridding mankind of the danger of the development of new destructive means of warfare.

Mr. FLOWERREE (United States of America): In introducing the United States proposal on major elements of a treaty on the prohibition of radiological weapons on 10 July 1979, my predecessor, Ambassador Fisher, described the background of that initiative as well as the substance of the proposal. Since then, the need to undertake negotiations on a multilateral convention banning radiological weapons was expressed in our Committee's report to the United Nations General Assembly and also in General Assembly resolution 34/37A, which was adopted without a vote.

The United States continues to attach considerable importance to the early conclusion of such a convention. Although radiological weapons may not exist at the present time, their feasibility clearly does. Moreover, the potential for the development and production of these weapons of mass destruction is constantly spreading, given the increasing accumulation of radioactive materials throughout the world.

Although a ban on radiological weapons would be a relatively modest step, it is a necessary one. The United States believes, moreover, that in our work here we should also take into account what is most readily achievable. In striving patiently for more ambitious -- and consequently more distant -- objectives, we should not neglect what can be done now. Any realistic and effective arms control measure we develop can only help us in making progress towards our ultimate disarmament goal.

It is in this spirit that the United States delegation will participate in the working group on radiological weapons which we hope will be established shortly. We also hope that the working group will find the major elements, which are the result of careful examination and prolonged negotiation, a good basis for launching its work on a draft convention.

Mr. McPHAIL (Canada): Mr. Chairman, let me begin by welcoming you to the Chair for the month of April. We have great confidence that you will carry out your duties with skill and confidence, and all of us wish you well. You summed up, in your statement, the position we have reached in the last couple of months and have given us a chart of where you think we should be going during this month, pledging to spare no effort on your part to bring us to that successful conclusion. Let me do likewise, and assure you of the assistance and confidence of my delegation in producing that effort which we would all like the Committee to make this month.

I must also take this opportunity to thank the outgoing Chairman, who, like myself, had his baptism in this Committee. He showed great patience and untiring efforts, and also displayed a very careful approach. I wish to thank and congratulate him on the success that he has known in this past month.

For 10 years this Committee and its predecessor have been considering, with varying degrees of concern, the threat to mankind posed by the possible use in war of radiological weapons. In 1970 the Netherlands submitted a working paper (CCD/291) on the subject which, taking into consideration the information available at that time, concluded that discussion of arms control measures relating to radiological warfare would not have been useful in practical terms. Since that time, I believe it is safe to say that United Nations sensitivities have heightened, as has our comprehension of the significance of the development of radiological weapons.

By 1976, with increasing apprehension as technology evolved and as information became more readily available, it became increasingly apparent that the subject required re-examination. In the First Committee of the United Nations

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General Assembly at its thirty-first session, the United States representative warned that rapidly accumulating radioactive materials had the potential for use in radiological weapons. Bilateral discussions were initiated in 1977 and resulted in the documents forwarded to the Chairman of this Committee by the representatives of the USSR (CD/31) and of the United States (CD/32) on 9 July last year. The tabling of these documents in the Committee on Disarmament was a positive manifestation of pledges made in Vienna by Presidents Carter and Brezhnev the previous month.

Our comments on the joint United States-USSR proposal on major elements of a treaty prohibiting the development, production, stockpiling and use of radiological weapons were made before this Committee on 17 July 1979, and I do not propose to repeat them except to say that, while we noted at that time that the proposed treaty covered weapons not yet in existence, we recognized the utility of it doing so.

While we acknowledge that criticism might be levelled at this Committee for tackling a non-existent weapon system instead of one which is real and deployed, I believe that in the long term the foreclosing of possible future weapons options has value in our work towards disarmament. We have a unique opportunity to ban a system before the research and development expenditures have in fact been made. Additionally, we realize that there is an area of theoretical application in modern warfare for this type of weapon and that our action within the Committee can eliminate the risk of a possibly significant weapon system being used on the battlefield. We can envision, as a result of our negotiations, a treaty banning an entire weapon system being accepted for ratification. This should give impetus to the solution of problems in other and more controversial areas.

Moreover, based on the expectations of many members, the elaboration of such a convention may well provide this Committee with its first opportunity to negotiate an agreement. We have demonstrated up to now considerable skills in negotiating, but essentially on procedural questions. Of course, procedural questions have been of considerable importance in the pursuit of our work. But we have done little in a substantive way to satisfy what is expected of us by the international community. Thus, the achievement of the text of an agreement on radiological weapons could be the first tangible product of our efforts and one by which the international community will judge whether we are fulfilling our mandate.

Doubts have occasionally been expressed as to the reality of the threat and thus as to the urgency we should attach to the banning of radiological weapons. Whatever the case, for our part we believe that the Committee on Disarmament will profit from negotiating this agreement and that the experience will have great value as a

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precedent for other, more complex work in the future. If, as has been said, it is easier to ban a system of weapons before it exists or is widely held, it is also likely to be easier to work out the text of a convention satisfactory to all in its initial drafting than to attempt to amend a text once it has been concluded. In elaborating this agreement, we must ensure, inter alia, that it will be non-discriminatory in character and that its provisions, in particular its complaint procedures, will result in an effective convention that functions fairly. Our detailed comments on the various clauses that might appear in such a convention will be put forward in the Working Group, and I would assure you that we shall do so in this same spirit, with a view to developing an agreement not only with intrinsic merit but also of significance as a model for our future work in other fields.

Mr. MORENO (Italy) (translated from French): Today Cuba assumes the chairmanship of the Committee for the month of April. In this circumstance, I have pleasure in offering your delegation and you personally my delegation's congratulations and best wishes for success.

At the same time I would like to express to your distinguished predecessor, Ambassador Yu Pei-Wen, the representative of China, my delegation's high appreciation of his competence and devotion in performing the task of Chairman at a particularly delicate stage in our work.

The subject on the Committee's agenda for today is the question of "New types of weapons of mass destruction and new systems of such weapons: radiological weapons."

I propose to submit a few preliminary considerations regarding the joint proposal submitted to the Committee on Disarmament on 10 July 1979 by the United States and the Soviet Union on the preparation of a treaty on the prohibition of the development, manufacture, stockpiling and the use of radiological weapons.

As has often been stated, radiological weapons have not as yet made their appearance in military arsenals. These are weapons of mass destruction which have already been identified and defined as far back as 1948, and which should certainly be banned as a preventive measure.

Last year, already, we welcomed the joint initiative of the United States and the Soviet Union. In the same spirit we joined the consensus by which the United Nations General Assembly, at its thirty-fourth session, adopted resolution 34/87 which:

"Requests the Committee on Disarmament to proceed as soon as possible to achieve agreement, through negotiation, on the text of such a convention and to report to the General Assembly on the results achieved for consideration by the Assembly at its thirty-fifth session."

We also welcome the establishment of an Ad Hoc Working Group with a view to achieving agreement on the convention. We will be happy to participate in the negotiations it will embark upon.

The elements of a treaty submitted to us last year seem, in our opinion, to offer a sound working basis, on which our Committee should prepare a multilateral agreement acceptable to all members.

(Mr. Lioreno, Italy)

My delegation considers that, during our negotiations on the text, particular attention should be given to the definitions in article II with a view to adopting terminology which is fully consistent with the rights and obligations under other international legal instruments and allows for no ambiguity. This is, in any case, a general requirement which should apply to all the provisions of the convention.

In drafting the various provisions, we should therefore continually bear in mind the basic provisions of the Non-Proliferation Treaty, which most of us have ratified, and which must not be called in question by the future agreement on radiological weapons.

Regarding draft article V, I would recall the comments made by my delegation at the last session. In our opinion it is essential that the wording adopted shall be such as to ensure the peaceful use of the radiation produced by radioactive decay. I have in mind, for example, medical, industrial and agricultural uses, without prejudging other peaceful uses.

It would also be desirable for the Working Group to consider the relationship between certain provisions of the future treaty and the provisions of the Convention on the Physical Protection of Nuclear Materials recently negotiated under the auspices of IAEA.

Another provision which we consider needs careful examination is article VIII, concerning machinery for consultation and co-operation in the solution of any problems which may arise in relation to the objectives of the treaty or the application of its provisions. This touches on the important aspect of verification. The machinery provided must at the same time be effective, non-discriminatory, and acceptable to all the countries concerned.

These are the general comments that my delegation wanted to submit to the Committee at the present stage. We reserve our right, of course, to revert in a more specific manner and to supplement these remarks, as appropriate, during the negotiations which we hope will soon be starting in the Working Group.

Mr. GARCÍA ROBLES (Mexico) (translated from Spanish): Keeping, as faithfully as I have tried to do on previous occasions, to the programme of work of the Committee on Disarmament that was finally approved on 11 March this year after long and arduous negotiations, I should like today to make a few comments concerning the item on radiological weapons, which forms part of the more general heading "New types of weapons of mass destruction and new systems of such weapons".

(Mr. García Robles, Mexico)

I shall begin by observing that, although, in the context of the various items on the Committee's agenda, the radiological weapons item is far from being one of those which call for priority attention, my delegation welcomed the joint proposal submitted by the United States and the Soviet Union on 9 July 1979 on "major elements of a treaty prohibiting the development, production, stockpiling and use" of such weapons, since the two Superpowers do not often give us the opportunity of being witnesses to their achievement of agreement on disarmament questions.

As the time that has elapsed makes it quite clear that we could by no means consider the elements of this treaty as a substitute for the various other mandates entrusted to us, and as, on the other hand the Working Group to be entrusted with this question was set up at the same time as three other Working Groups which must, as you know, deal with chemical weapons, the comprehensive programme of disarmament and so-called "negative safeguards", my delegation thinks that the time has now come to consider this question in detail and is ready to co-operate to the best of its ability so that, if feasible, the Committee can transmit to the General Assembly, annexed to its report for 1980, a complete draft treaty that the Assembly can examine in its next session.

It is not my intention to present specific suggestions here, either concerning the United States-Soviet elements or the working papers submitted -- also in July 1979 -- by the delegations of Hungary and the German Democratic Republic respectively, concerning the preamble and some provisions of the preliminary draft treaty. We think that the appropriate forum for this is the Ad hoc Working Group, in which we shall present our suggestions at the appropriate time.

For the time being we should like not only to ask a question -- similar to that already raised by the delegation of Sweden at the 65rd meeting on 26 February -- as to why the joint preliminary draft does not seem to include so-called "particle-beam weapons", the development of which perhaps attracts the attention of the Superpowers to a much greater extent than that of the "radiological weapons" defined in article 2 of the preliminary draft.

Indeed, one of the highly specialized magazines on questions of this kind in the United States devoted, in October and November 1968, an entire series of six articles, totalling approximately 50 printed pages, to the development of what was called "the particle-beam arms race". These articles are full of specific facts, official and unofficial statements, technical data, photographs and diagrams which, even discounting anything that can be attributed to an excess of imagination or to

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tendentious motives, would be impossible to ignore and which seem to suggest that it is feasible for the weapons in question to become a reality during the 1980s and that, if their development is not halted, there is the danger that in, the subsequent decade, they will be able to produce "extremely high radiation levels", the effects of which would be "similar to those of a gigantic neutron bomb".

For this reason we hope that the delegations of the States sponsoring the joint proposal to which I referred at the beginning, will express, at the appropriate time, their opinion on the considerations formulated on this question by the delegations of Sweden and Mexico.

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Mr. VEKKATESWARAN (India): Mr. Chairman, I would like to join the other delegations who have already welcomed you as Chairman of this Committee, and to express the fullest co-operation of my delegation with you, Sir, in making the work of this Committee successful, comprehensive and fruitful. I was sorry to hear that you may be leaving very soon and I am sure that many of my colleagues are already starting to bemoan the occasion.

Today, my delegation would like to put on record its considered position on the proposed treaty on the prohibition of radiological weapons. In this connexion we would also be referring to certain specific articles contained in the joint United States-USSR draft treaty on radiological weapons which was presented to the Committee on Disarmament in documents CD/31 and CD/32 during the 1979 session.

The use of radiation produced through radioactive decay for weapons purposes has been examined by experts and it has been concluded that there are very serious practical difficulties in the manufacture of weapons which depend for their effectiveness on radiation produced from radioactive decay. During the consideration of this subject in the Conference of the Committee on Disarmament in 1970, the Netherlands delegation had presented a working paper, CCD/291, wherein it had been stated that "judging by the available information, possibilities for radiological warfare do exist theoretically, but do not seem to be of much or even of any practical significance". In its latest yearbook, SIPRI has further emphasized this point. The 1980 Yearbook states:

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"In order to kill or injure people by the use of radiological weapons on the battlefield, a very high radiation dose would be required. One would need radioactive isotopes having a short or very short half-life, but these cannot be stored (they would decay before being used). Alternatively, one would need such large amounts of isotopes with a long half-life that the very method of warfare would be impracticable. In general, transport of radioactive material to the battlefield would be a very cumbersome task, mainly due to the heavy protective shielding which would be needed, while delivery of this material to intercontinental targets for so-called strategic purposes is hard to conceive. On the other hand, it is technically possible to use material of lower activity for causing long-term effects, harmful to life or health after months or years, or even to future generations. For this purpose, one might use materials having a relatively long half-life, for instance strontium 90, which has a half-life of about 28 years. These materials can be obtained from the radioactive waste of reactors. But there would be little military rationale for producing long-term harmful effects. This was acknowledged as early as 1962, by the United States Department of Defence, and nothing is known since then to have undermined this assessment."

In view of the impracticality of using radiation produced by radioactive decay for warfare purposes, it should be clearly understood that the treaty under negotiation is of limited arms control value. If, however, there are practical possibilities for the use of radiation produced by radioactive decay for weapons purposes, then we would like such possibilities to be clearly spelt out by the co-sponsors of the joint draft text.

The draft treaty defines the term "radiological weapons" as "Any device, including any weapon or equipment, other than a nuclear explosive device, specifically designed to employ radioactive material by disseminating it to cause destruction, damage or injury by means of the radiation produced by the decay of such material". The draft further adds that such a radiological weapon would also include "Any radioactive material, other than that produced by a nuclear explosive device, specifically designed for employment, by its dissemination, to cause destruction, damage or injury by means of the radiation produced by the decay of such material".

If a specific weapon of mass destruction is to be banned, it stands to reason that such a weapon should be clearly identifiable. In other words, it should be

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possible to identify the inherent qualities of such weapon in a way that it may not be confused with other kinds of weapons such as nuclear weapons. Therefore, why should it be necessary to adopt a definition, as has been done in the draft text, which describes radiological weapons by the method of exclusion? We would propose that the phrase "other than a nuclear explosive device" should be dropped from the text. This should be followed by a more precise definition of radiological weapons which we should be able to arrive at after the co-sponsors of the draft text have told us the precise practical possibilities that exist for the use of such weapons in the future.

The wording presently adopted by the co-sponsors of the draft may be interpreted as licensing the use of nuclear explosive weapons. What the wording of the treaty would seem to suggest to any layman is that, while it would be an offence to kill by radiation alone, it would be perfectly legal to kill by radiation provided it is accompanied by blast and heat, as is the case with nuclear bombs. India has consistently held that the use of nuclear weapons under any circumstances would be illegal and cannot be legitimized through any appeal to reasons of security of a State or the allergy shown by some States to abandoning the perverse and dangerous doctrine of nuclear deterrence. If our attempts to maintain nuclear disarmament as the focus of our negotiations are considered impracticable or unrealistic, we would wish to state that it seems even more impracticable and unrealistic to treat, as a priority item, the banning of weapons that not only do not exist at present but seem to be difficult to fabricate in the foreseeable future as well. There is also a serious danger that by yielding to the temptation of going in for treaties that ban non-existent weapons, we may only succeed in pulling the wool over our own eyes and, what is worse, lull the peoples of the world into a false complacency that all is well and there is nothing much to worry about. A better yardstick of our sense of realism and pragmatism would be to address ourselves to the existing and ever-growing threat of a nuclear or thermonuclear war which may cause the total annihilation of the world, just because of a short circuit in a computer.

The proposed radiological weapons treaty must therefore recognize in a suitable manner that our goal is to free this planet of all weapons that kill through radiation, whether this radiation is caused by radioactive decay or through the fallout from a nuclear explosive weapon. This would demand that the narrow focus of the present treaty text must be broadened suitably as mentioned above.

(Mr. Venkateswaran, India)

The draft treaty text, in article VII, has referred to the obligations assumed by any State under any specific treaties, including the Treaty on the Non-Proliferation of Nuclear Weapons. My country is not a party to the Treaty on the Non-Proliferation of Nuclear Weapons. If a specific reference is made to commitments under any other treaty it may be necessary to state that nothing in the present treaty shall be interpreted as creating obligations for States which they have declined to assume under any other existing treaty.

In the course of discussions on the verification provisions in the proposed treaty, some delegations have referred to the possibility of extending IAEA-type safeguards to all radioactive wastes in the States which are parties to a future convention. Such a recommendation appears to us as an attempt to introduce the concept of full-scope safeguards, in a modified form, on nuclear facilities of States which have refused to accept similar safeguards, because of their discriminatory and unequal nature, under the Non-Proliferation Treaty. My delegation reserves its position on this point, and would like to have more complete and precise details of what is entailed in the extension of IAEA-type safeguards to radioactive wastes.

The co-sponsors have informed the Committee that the proposed convention contains no provision for exemptions for defensive purposes. However, certain delegations have referred to the exemption of certain equipment and activities of protection against radiation. My delegation would like to have a very precise idea of the distinction between defensive and protective equipment and activities, and what exactly would fall under these categories.

The discussions we have had so far on the subject of radiological weapons reveal that the co-sponsors of the draft treaty have in mind an extremely narrow focus for its application. The delegation of Sweden raised the very pertinent point as to whether we could not have a specific article in the treaty which would prohibit attacks on civilian nuclear facilities which could lead to widespread radioactive contamination in populated areas. In wartime this would be a very real possibility. Similarly, several delegations have referred to the future possibilities of developing particle-beam weapons which would also use radiation for destructive effects. It is quite clear, again, from our discussions so far that these, too, will not be covered by the treaty. There has already been considerable debate on whether the neutron

(Mr. Venkateswaran, India)

bomb, which kills mainly through lethal radiation, should also be logically covered by this treaty. Here, too, it is quite clear that several delegations are not willing to accept such enhanced radiation weapons under the category of radiological weapons. When all such practical possibilities which come to mind have been excluded from the purview of the proposed treaty, we feel entitled to ask what really is its purpose and intention.

My delegation hopes that we would get satisfactory answers to some of the questions we have raised and in the light of further discussion we hope to revert to this subject later on during our current session.

At the plenary meeting held on Thursday, 3 July, the distinguished Ambassador of Canada put forward the view that initiatives which had been proposed for nuclear disarmament in the Committee seemed to go beyond the role assigned to this Committee, which should initiate specific agreements of a multilateral character. He added that it would not be useful to redraft the Final Document of the special session on disarmament with respect to the question of nuclear disarmament. He also stressed that there were only a very limited number of measures in the field of nuclear disarmament which were ripe for negotiations. This Committee has on its agenda an item entitled "Cessation of the nuclear arms race and nuclear disarmament". As the Committee is recognized by all as the negotiating body on disarmament matters, we presume that having this item on the agenda clearly implies that we are authorized to conduct negotiations on this item. Nowhere in the Final Document is it stated that nuclear disarmament is a field where multilateral negotiations are inappropriate. In fact, with respect to all disarmament measures, the Final Document has clearly stated a preference for multilateral negotiations. Nuclear disarmament is not a subject that concerns merely a handful of nuclear-weapon States. As has been recognized in the Final Document, the very existence of nuclear weapons and the continuing arms race pose a serious threat to the very survival of mankind. Paragraph 14 of the Final Document clearly states:

"Since the process of disarmament affects the vital security interests of States, they must all be actively concerned with and contribute to the measures of disarmament and arms limitations, which have an essential part to play in maintaining and strengthening international security".

(Mr. Venkateswaran, India)

No one can deny that nuclear disarmament is of urgent and vital concern to all countries of the world. If this is so, then we cannot understand why a multilateral negotiating body such as the Committee on Disarmament should refrain from addressing itself to the question.

Initiatives taken in this Committee at least to commence the process of negotiations on nuclear disarmament cannot be described as an attempt to redraft the Final Document of the special session. These initiatives are based on well-recognized principles embodied in the Final Document and contain some of the most important elements that have been put forward as specific measures in the process of nuclear disarmament.

The other point that I wish to draw attention to is regarding the ripeness or otherwise of a subject for negotiations in the Committee. I must confess that we were disappointed to hear that there were very limited numbers of measures which could be considered in the Committee on Disarmament with respect to nuclear disarmament. My delegation does not accept such an approach. In our view it is not the ease with which an agreement can be arrived at which should determine the ripeness of the subject for negotiation, but, much more importantly, it is the relevance and urgency of the subject to our security and survival. Paragraph 20 of the Final Document clearly states: ...

"... effective measures of nuclear disarmament and the prevention of nuclear war have the highest priority. To this end, it is imperative to remove the threat of nuclear weapons, to halt and reverse the nuclear arms race until the total elimination of nuclear weapons and their delivery systems has been achieved, and to prevent the proliferation of nuclear weapons."

It seems, therefore, somewhat contradictory to us that nuclear disarmament should be considered as not being ripe for negotiations. We do not minimize the complexities involved in dealing with this subject, but neither do we expect that such complexities should be allowed to deter us from focussing attention on this vital issue.

My delegation would therefore urge that member delegations in this Committee should recognize the great urgency of achieving tangible progress in the field of nuclear disarmament, and thus live up to the mandate given to this Committee by the international community. The total elimination of nuclear weapons is the key element in any process of disarmament. Failure to recognize this would make this body irrelevant to the concerns and aspirations of the peoples of this world.

MR. SOLA VILÁ (Cuba)

Allow me now to express my views on the item on this week's work programme, "New types of weapons of mass destruction and new systems of such weapons; radiological weapons".

My delegation welcomes the fact that a working group has been set up on radiological weapons, and considers that, although such weapons do not yet exist, it is a measure of control, and that the Committee's work could appropriately be based on this type of negotiation in future, i.e. drafting preventive measures so far as concerns the cessation of the arms race, instead of waiting until increasingly sophisticated and refined weapons are produced before banning them.

It would be a step in the right direction if the Committee on Disarmament could submit a draft treaty on such weapons; undoubtedly it would be well viewed by the international community, particularly since we are on the point of beginning the preparatory work for the second special session on disarmament.

We share the view of many delegations that there are other items of greater urgency and priority on our agenda, such as the one to which I have just referred: nuclear disarmament. This does not detract, however, from the value we have attached to the question of radiological weapons within the context of new types of weapons of mass destruction.

We must not forget that expenditure on the arms race is increasing daily, and that peace-loving peoples and countries, and particularly the developing countries, are struggling doggedly to reverse the arms race, to secure the use of those resources for improved economic and social development and a better standard of living, and for making possible the establishment of a New International Economic Order.

(Mr. Solá Vila, Cuba)

That is why we support the proposal for the establishment of a working group, a contact group or some other appropriate forum in which qualified governmental experts can participate in the preparation of a draft comprehensive agreement on the prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons, and, where necessary, specific agreements on particular types of such weapons, as the Committee on Disarmament was requested to do in resolution A/34/79 adopted at the last session of the United Nations General Assembly.

The current 1980 session of the Committee on Disarmament is not very long, and we already have a full work programme; but we must take this aspect into account for next year.

May I end my statement by saying once more that we believe that the best framework for dealing with the items now on the agenda, and these we may have to deal with in the future, is provided by working groups, as is shown by the work done in such groups. They enable us to concentrate on disarmament negotiations; they allow a constructive atmosphere to prevail in the Committee on Disarmament; they make for progress in the long and complex process of disarmament; they permit us to discharge our duties and responsibilities as members of this unique multilateral negotiating body on disarmament. We must bear in mind the fact that basically, the efforts of the entire world depend on the forty member-States of the Committee on Disarmament; we are the spokesmen and interpreters of all the feelings of the international community, which desires a peaceful world, without arms or wars; and our reports to the General Assembly must increasingly show that our efforts are dedicated to the realization of that desire.

Mr. TAYLOR (Venezuela) (translated from Spanish): Mr. Chairman, before beginning my statement I would like to express the satisfaction of my delegation at seeing you in the Chair of the Committee on Disarmament for the month of July. We would also, through you, Sir, like to salute the delegation of Egypt, which has a long international career of efforts towards peace and disarmament; and in you, Sir, we see a distinguished colleague who has many human and diplomatic skills and abilities, and we think that this augurs well for the successful progress of our work during your time of occupancy of the Chair.

My delegation would like on this occasion to express some general ideas on the item which, in accordance with our programme of work, is before the plenary meeting today: New types of weapons of mass destruction and new systems of such weapons; radiological weapons.

(Mr. Taylhardat, Venezuela)

The crux of the item concerning new types of weapons of mass destruction may be summarized as follows: scientific research for military purposes has reached such a level of development that new devices may come into being with destructive effects comparable to those of nuclear weapons. The development and manufacture of such weapons has grave consequences for the peace and security of nations. Consequently, it is necessary to make every effort to prevent scientific and technological progress being used for the creation of new types of weapons of mass destruction and new systems of such weapons.

The first definition of what is to be understood by weapons of mass destruction was given in 1948 by the Commission for Conventional Armaments established by the Security Council; with the object of delimiting the sphere of its own competence, that Commission decided that in its opinion, its jurisdiction embraced all armaments and armed forces except atomic weapons and weapons of mass destruction. The Commission for Conventional Armaments added that: "weapons of mass destruction should be defined to include atomic explosive weapons, radioactive material weapons, lethal chemical and biological weapons and any weapons developed in the future which have characteristics comparable in destructive effect to those of the atomic bomb, or other weapons mentioned above."

The question of weapons of mass destruction has been before the United Nations since 1975, as a result of a Soviet initiative. The main questions discussed have been the following:

(a) The nature of the prohibition: some countries maintain that it is essential to apply a comprehensive prohibition, and that it will always be easier to prohibit the creation and manufacture of such weapons when they are still in the stage of research or experiment.

Other countries favour a "case by case" approach. They maintain that new scientific advances should be tackled as they arise, and that every type of weapon should be the subject of specific consideration.

(b) The type of measure to be adopted, or the scope of the prohibition: the advocates of a comprehensive prohibition maintain that there is a need for an agreement of a general nature, that is to say, a prohibition sufficiently wide to embrace all kinds of weapons of mass destruction incorporating qualitatively new principles as well as types of weapons incorporating scientific principles already in application but whose lethal nature might be enhanced by the introduction of new technical features.

(Mr. Tavlihardat, Venezuela)

Those who support the second approach, while recognizing the need for efforts to prohibit specific weapons of mass destruction, reject the idea of a broadly based convention which would prohibit without further specification any weapons of that type which might appear in the future. They take the view that a single treaty on the matter would be too generalized and would be so vague as to be ineffective.

In our opinion, the two additional positions on this matter do not seem irreconcilable.

That is borne out by the fact that with the passage of time the two theories, which started off by admitting of no compromise, have been progressively converging.

The 1977 decision of the United States and the Soviet Union, in the context of the SALT II negotiations, to establish a bilateral working group charged with producing an agreement on the prohibition of radiological weapons may be regarded as a consequence of the greater flexibility of attitudes referred to above.

A still further degree of reconciliation of the two positions is reflected in paragraph 77 of the Final Document of the tenth special session of the General Assembly, devoted to disarmament, which refers to the need to take effective measures to avoid the danger of new types of weapons of mass destruction by efforts aiming at the prohibition of such new types and the conclusion of specific agreements on particular types of new weapons of mass destruction which might be identified. In the preceding paragraph, the Final Document says that a convention should be concluded prohibiting radiological weapons.

These two paragraphs represent a positive effort of accommodation and reconciliation of previously opposing positions, and may be said to open the way to joint efforts based on elements which have been generally accepted.

The joint proposal of the United States and the Soviet Union regarding the principal elements of a treaty for the prohibition of the development, production, stockpiling and use of radiological weapons is also a part of this gradual process of reconciliation of the two traditional viewpoints.

The special session of the General Assembly, in paragraph 77 of the Final Document, recommends that the question of new types and systems of weapons of mass destruction should be kept under continuing review in order to prevent scientific and technological achievements in the military field being used for non-peaceful purposes.

For its part, the General Assembly, at its thirty-fourth session, adopted by 117 votes in favour, none against and 24 abstentions resolution 34/79, which, inter alia requested the Committee on Disarmament, in the light of its existing

(Mr. Taylhardat, Venezuela)

priorities, actively to continue negotiations, with the assistance of qualified governmental experts, with a view to preparing a draft comprehensive agreement on the prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons, and, where necessary, specific agreements on particular types of such weapons. The Committee should give particular attention to this question within its existing priorities, at next year's session.

Perhaps in 1981 a working group could be established to make a more concrete study of the arguments in favour of the conclusion of a general and comprehensive agreement, and the reasons advanced in favour of special and specific agreements. Such a working group would endeavour to devise a common approach combining the two alternatives.

As I said before, in my delegation's opinion the two approaches are quite reconcilable, and we think that the adoption of a comprehensive agreement does not exclude the possibility of making specific agreements relating to particular categories or types of weapons.

I would now like to make some observations regarding the second part of the item before us, which relates specifically to radiological weapons.

My delegation has followed with great interest the discussions in the Ad Hoc Working Group dealing specifically with such weapons. The detailed study of this question which we have been making has given rise to some doubts and anxieties which lead us to conclude that it may be necessary to modify our approach.

The discussions in question have shown that basically we are not concerned with one specific type of weapon. In the first place, such weapons do not exist as far as we have been able to ascertain, and it does not seem likely that they can exist as a specific type of weapon. The basic issue is the need to avoid the possibility of radioactive materials which do exist, such as the waste from nuclear plants, whether civil or military, being used in future for hostile purposes, or as a means of causing casualties in presumed enemy terrain by radioactive emissions produced by the decay of such materials. (As the Soviet-United States proposal points out, this can be done by the dissemination of radioactive substances). Among possible applications for military purposes of radioactive waste, reference has been made, for example, to the placing of materials obtained from spent nuclear-fuel rods from a nuclear reactor in a particular area to interdict passage, or in a populated area to kill human beings, cause damage to the population or oblige it to evacuate the area. The question is therefore one of the use for military purposes of radioactive material or any other source of radiation. As I have said, it is not a question of a type of weapon which can be specifically defined as such.

(Mr. Taylhardat, Venezuela)

In our view, this finding should induce us to modify our approach to the matter. The convention which emerges from the work of the Ad Hoc Group should not refer to radiological weapons, but should concentrate on the prohibition of the use of radioactive materials for military purposes, the prohibition of radiological methods of warfare or of methods of radiological war.

This change of approach would have the advantage of recognizing the concern which several delegations have already expressed, and which is shared by my delegation, that, when we speak of radiological weapons, an interpretation contrario sensu of the definition proposed in the Soviet-United States draft could be taken to imply that we are legitimizing, endorsing or giving legality to the use of nuclear weapons. Such a change of approach would also take account of another concern of my delegation, namely, that in making an agreement on radiological weapons we may leave outside the international regulation mechanism certain weapons which also use radioactivity to cause injury or harm, such as bundles of charged or neutral particles and the so-called intensified radiation bomb or neutron bomb.

Another concern which preoccupies my delegation in connexion with the discussions in the Working Group is whether what has been represented to us as a radiological weapon, or the dissemination of radioactive materials or substances for military purposes, can really be considered a weapon of mass destruction. We have seen that one of the member States of the Committee on Disarmament has proposed the deletion of the word "destruction" in the definition contained in the Soviet-United States proposal, saying that in fact it is not possible to speak of destruction properly so called as the result of contamination arising from the decay of radioactive materials. Although I am not an expert in the field, I agree that it seems unlikely that the dissemination of radioactive substances can cause destruction in the strict sense of the word. It may be a truism, but I venture to say that a weapon which is not a weapon and which does not cause destruction can scarcely be regarded as a weapon of mass destruction.

I do not mean by this that the negotiations which the Working Group is pursuing have no purpose. On the contrary, we think they are very useful and that they should be continued, because their object is to prevent the use for military purposes of highly dangerous substances or materials which can cause indiscriminate large-scale damage.

However, in these negotiations we should bear in mind:

1. That we are not speaking of weapons as such, but of the use of radioactive materials for hostile purposes;
2. That we are not dealing with a weapon of mass destruction.

Mr. LUKES^v (Czechoslovakia): I would like to devote my today's intervention to the item listed in our programme of work as "New types of weapons of mass destruction and new systems of such weapons; radiological weapons".

As I am taking the floor for the first time in this month, may I be permitted to extend my congratulations to you, Mr. Chairman, on your assumption of the chairmanship of the CD for the month of July. My delegation is very well acquainted from its own experience with the responsibility of your task. We appreciate very much the way you guided the Committee's activities. I would like to assure you of the readiness of my delegation fully to contribute to your demanding mission in fulfilling the work of the July programme. I am persuaded that you will receive in this field the full help and co-operation of the CD secretariat, represented by Ambassador Jaipal, Mr. Berasategui and others in such a satisfactory way as we have got during the June chairmanship of Czechoslovakia.

It was also due to their merit, among other things, that our term in chairing the CD went so smoothly, and, as was generally recognized, in a business-like manner.

My Government attaches great importance to the prevention of the misuse of new scientific and technological achievements for military purposes in general, and especially for the development and production of still more effective and sophisticated types of weapons of mass destruction.

(Mr. Lukes^V, Czechoslovakia)

The endeavours of our Committee to find a speedy and real means for the termination of this senseless, harmful and extremely dangerous waste of human and material resources are in this connexion more and more expected by the world community. As a first concrete step, we consider the establishment of the Ad Hoc Working Group on Radiological Weapons.

We believe that, under the skilled chairmanship of Hungarian Ambassador Kőmives, this group would show its readiness to elaborate the draft of the treaty prohibiting the development, production, stockpiling and use of radiological weapons on the basis of the joint Soviet Union and United States initiative. My delegation is convinced that this problem is ripe to be solved. For this reason we have invited to the Committee our expert, Dr. Franěk^V, who takes an active part in its Working Group.

Nevertheless, the discussions in the Working Group have already shown the existence of some facts which make more difficult such speedy and effective proceeding as would be desirable for all of us. I have especially in mind certain still unexplained technical questions connected with the entire problem of the development of new weapons of mass destruction and of their prohibition.

That is why the Czechoslovak delegation considers it most important at this moment to agree on a clear and mutually acceptable definition of radiological weapons and on the scope of the prohibition. We think that the Ad Hoc Working Group should not lose time and energy in deliberating questions which are no doubt important but go beyond the framework of the radiological weapons convention.

We strongly feel that deliberations about this convention undoubtedly show that the development of new weapons of mass destruction is a factor which is postponing the reaching of our common aim, which is General and Complete Disarmament, and complicating disarmament negotiations even more. That is the reason why we think that the Committee on Disarmament should devote the necessary attention even to those questions of a preventive character which are closely linked with highly actual aims of national security as well as with the effectiveness of future disarmament negotiations.

I would like to remind the Committee that the delegation of the Czechoslovak Socialist Republic has highly appreciated and fully supported the initiative of the USSR made on 1 April of this year, proposing to set up a special group of experts which would meet periodically and could concern itself with the preparation of a draft comprehensive agreement and with the consideration of the question of concluding special agreements on individual types of weapons of mass destruction. We have already declared our readiness to participate in such a group as soon as it is established.

Mr. ISSRAELYAH (Union of Soviet Socialist Republics) (translated from Russian): The Committee on Disarmament is continuing its consideration of one of the most important problems connected with the limitation of the qualitative arms race-- the problem of the prohibition of new types and systems of weapons of mass destruction.

The position of principle of the Soviet Union and other countries of the socialist community on this question is known to members of the Committee. It was stated once again in the Declaration of the States Parties to the Warsaw Treaty of 15 May 1980, where, inter alia, it is proposed to initiate business-like negotiations on a number of urgently needed measures to stop the arms race which are also favoured by the United Nations, but on which negotiations have not yet been held. In the above-mentioned Declaration, the prohibition of the development of new types and systems of weapons of mass destruction is included among the problems on which no State or Government has or can have any convincing reasons for evading negotiations. "The conscience of mankind," the Declaration states, "cannot be reconciled to the loss of any opportunity for their solution in the interests of all peoples."

The problem of the prohibition of new types and systems of weapons of mass destruction has appeared on the agenda of various international forums since 1975. The period which has elapsed since that date confirms that there is every justification for raising the problem. Its consideration in the General Assembly and in the Committee on Disarmament, where qualified Government experts from a number of countries spoke at unofficial meetings in 1976-1979, has revealed the real dangers of a course of events in which the latest scientific achievements could, unless this was prevented in time, be utilized for the development of new types of weapons of mass destruction. Despite the widely held view concerning the inadmissibility of using scientific and technological progress for purposes of developing new types of weapons of mass destruction, there is still no agreement as to how to prevent this in practice.

It is our profound conviction that the question of a comprehensive prohibition of the development of new types and systems of weapons of mass destruction could already be solved if the political will to do so were manifested, above all, by States developed from the military point of view.

(Mr. Issraelyan, USSR)

However, arguments are still occasionally heard to the effect that it is hardly worth while considering the problem of the prohibition of new types and systems of weapons of mass destruction and spending time and energy on this subject, since far more urgent problems of prohibition of already existing types and systems of no less dangerous weapons have not yet been solved. It is particularly surprising that arguments of such a kind should be advanced by anyone in the Committee on Disarmament, the only multilateral organ for negotiations on disarmament. Such a position cannot be regarded as correct. We must all bear in mind that while the search is going on for solutions to problems of limiting or prohibiting existing means of mass destruction, the emergence of new varieties of such weapons is not precluded. It goes without saying that if events were to take such a course, the problem of disarmament, a very thorny one in any case, would become still more complex. Should we passively await such developments?

Historical experience shows that even the most highly qualified specialists were unable to predict the emergence of new types of weapons during the two greatest world wars in the history of mankind. In this connexion it would not be superfluous to recall that Rutherford, the founder of experimental nuclear physics, asserted in 1933 that anyone who expected to produce energy from the transformation of atoms was talking nonsense. Not much more than 10 years passed before the atom bomb had not only been developed but had also been dropped. To understand the urgency of the problem of prohibiting the development of new types and systems of weapons of mass destruction, it is sufficient to ask ourselves how mankind might have developed had it been possible to prevent the use of atomic energy for military purposes.

The Soviet Union consistently advocates a comprehensive agreement which will erect a reliable barrier against the emergence of new types of weapons of mass destruction. At the same time, the expanded draft agreement on this question submitted to the Committee in 1977 also provides for the possibility of concluding special agreements on the prohibition of individual new types of such weapons.

Taking into account the Western countries' approach to solving the problem of the prohibition of new types and systems of weapons of mass destruction, the Soviet delegation on 1 April 1980 came forward with a proposal for the establishment,

(Mr. Lomax, USSR)

under the auspices of the Committee on Disarmament, of a group of experts which would be convened from time to time and which would concern itself both with preparing a draft comprehensive agreement and with considering the question of the conclusion of special agreements on individual types of weapons of mass destruction.

A considerable number of unofficial meetings on the question of the prohibition of new types of weapons of mass destruction have already been held, with the participation of experts, in the Committee on Disarmament. The establishment of an ad hoc group of experts on this question would provide an additional important practical means of ensuring continuous observation of developments in the field of potentially dangerous trends in the development of new types of weapons of mass destruction.

We note with satisfaction that a number of delegations are showing interest in the establishment of such an ad hoc group of experts. I should like to hope that at the present session the remaining delegations will also determine their position on this proposal and will take part in drafting the terms of reference of such a group so that it may embark on its work under the auspices of the Committee on Disarmament in the very near future. The Soviet delegation is submitting a draft decision on the establishment of an appropriate group of experts for the consideration of members of the Committee.

Allow me now to dwell on the question of the preparation of a treaty prohibiting radiological weapons. As is known, the problem of the prohibition of radiological weapons, which the Soviet Union views in the context of the problem of a comprehensive prohibition of new types of weapons of mass destruction, has already been on the agenda of the Committee on Disarmament continuously for more than three years. As we all know very well, radiological weapons operating with the help of radioactive material were mentioned as belonging to the category of weapons of mass destruction already in the well-known United Nations formula of 1948. In the course of the discussions on the preparation of a specific international agreement on this problem conducted within the Committee over the past years, additional expert evaluations and arguments have been submitted

(Mr. Issraelyan, USSR)

to members of the Committee which have convincingly demonstrated that the preconditions for the possible emergence of such weapons in the future are continuously expanding.

This is due, above all, to the broad development and dissemination throughout the world of radioactive material of various kinds, which may objectively be regarded as providing a supply base for radiological weapons.

The international community's realization of this danger is reflected in General Assembly resolutions known to us all, and it is this realization which acted as the starting impulse for consideration by the Committee on Disarmament, over a space of three years, of matters connected with the prohibition of radiological weapons and for the preparation by the delegations of the USSR and the United States of America in 1979 of the joint proposals on a draft international treaty prohibiting radiological weapons.

An ad hoc working group is at present working on the preparation of a draft treaty based on those proposals. In the course of this work, delegations are introducing and discussing various suggestions introducing ideas as well as actual formulations on various aspects of the problem. The active approach adopted by the majority of delegations in this connexion indicates that the problem of prohibiting radiological weapons is, in one way or another, of concern to all. At the same time, according to our preliminary appraisal, certain difficulties have arisen in the course of the already completed stage of work on the treaty on radiological weapons.

An examination of the proposals submitted by delegations shows that their orientation is by no means uniform.

One group of proposals does not diverge from that interpretation of the purposes and objectives of the future treaty by which the majority of States members of the Committee are guided and which guided the sponsors of the joint initiative in drafting the relevant articles of the treaty. This group of proposals provides for the preparation of an international treaty which would preventively prohibit one of the possible new types of weapons of mass destruction -- radiological weapons -- as well as the conduct of radiological warfare, i.e. of warfare involving the employment of such weapons or of any radioactive material that might be at the

(Mr. Issraelyan, USSR)

disposal of States. The further harmonization of this group of proposals should not — at least in the Soviet delegation's view — give rise to particular difficulties in the final drafting of the text of the treaty.

But there are also some individual proposals which, in substance, alter the basic idea and content of this document. I have in mind, above all, the proposals which relate to extending the scope of the treaty to include forms of activity unrelated to the question of the prohibition of radiological weapons. The proposals aimed at artificially linking together the treaty on radiological weapons with certain international agreements having nothing to do with the problem under consideration should be related to this same group of questions.

As to this category of proposals, we should like to say the following. The Soviet delegation is always prepared to treat with understanding any idea in the sphere of disarmament if it provides for a realistic and constructive solution of the question. However, we could not include the ideas to which I am referring in the category of realistic and constructive ones, although they may seem to be dictated by the best intentions. They are unrealistic for the simple reason that for their application it would be necessary first to prohibit war in general and only then to prohibit radiological weapons.

The Soviet Union — and this is well known — has always been in favour of excluding war from the life of human society and has always actively fought towards this end. In future, too, we shall continue to do everything possible in this direction. However, we clearly realize that it would be a great mistake to be so guided by this noble aspiration as to act in a manner divorced from the realities of the world in which we live. Experience suggests that success along the path of arms limitation and disarmament can be achieved only by successive step-by-step measures in the direction of that goal.

Lastly, we cannot fail to note a number of statements and actions by individual delegations which are not only unrealistic but, to put it mildly, are generally dictated by considerations that are far from business-like. At various unofficial meetings, and sometimes also at meetings of the working group, views are propagated to the effect that the adoption of the above-mentioned document would amount to accepting some kind of "dictate of the super Powers", that delay in the preparation

(Mr. Issraelyan, USSR)

of a treaty prohibiting radiological weapons would represent a "lever for exerting pressure on the super Powers", and that until other, more urgent, disarmament questions are settled the conclusion of a treaty prohibiting radiological weapons must not be permitted, etc.

How are we to describe such a position? To call it emotional would not be enough; it is, in essence, dangerous. To block the adoption of a positive decision on the proposal which has been submitted concerning the prohibition of radiological weapons is not difficult. Any negotiation in the Disarmament Committee could be blocked for many decades by artificially linking one question with another. But the question is: in whose interests would this be? In whose interests is it to defer the prohibition of a new type of weapon of mass destruction the possibility of whose emergence is confirmed by many authoritative specialists? Do the champions of the point of view I have described understand how great, how heavy, is the responsibility they are assuming in preventing, for all practical purposes, the prohibition of radiological weapons at the present time? Who can guarantee that in a year or two, radiological weapons will not appear in the arsenals of certain States and that then the prohibition of these weapons will be a far more difficult matter?

Lastly, we cannot fail to notice that in their other statements the same delegations which are objectively obstructing the successful conclusion of negotiations on radiological weapons in the Committee on the basis of the USSR-United States draft speak in favour of the creation of conditions to facilitate constructive co-operation between the USSR and the United States in matters of limitation of the arms race. In reality, however, they are working in the opposite direction.

Let us make no bones about it: this is more than a restricted issue. The line taken by certain delegations in linking together different disarmament problems and artificially creating obstacles to the progress of negotiations is harming the authority of the Committee on Disarmament and interfering with the performance of its functions.

The Soviet delegation would like to hope that representatives of the other countries members of the Committee will adopt an understanding and responsible attitude towards the considerations set forth above.

(Mr. Issraelyan, USSR)

At recent meetings of the Committee on Disarmament a number of delegations — some to a greater, others to a lesser extent — have touched upon matters connected with the situation in Europe. Although these questions, as we know, are not on the Committee's agenda, the Soviet delegation would like today to express certain views on this subject.

Some remarks by delegations may give rise to the impression that the Soviet Union and other States parties to the Warsaw Treaty are doing nothing to reduce military confrontation in Europe and to strengthen European security.

It is well known, however, that these States are actively propounding that Europe — and, naturally, other regions of the globe as well — should become a zone of durable peace, co-operation and security. Suffice it in this connexion to mention once again the Declaration of the States Parties to the Warsaw Treaty, adopted at a meeting of the Political Consultative Committee on 15 May 1980, to which we have already referred in detail. This document contains a wide-ranging programme of measures and proposals which, to a considerable extent, relate precisely to questions of strengthening peace in Europe. Such is the appeal to accelerate preparations for a conference on military détente and disarmament in Europe. Such is the proposal to agree that, beginning on a specific agreed date, no State or group of States in Europe should increase the strength of its armed forces in the area specified in the Final Act of the Conference on Security and Co-operation in Europe. Such is the desire of the Warsaw Treaty countries, expressed in the Declaration, that the forthcoming Madrid meeting should culminate in positive and specific results.

Speaking on 30 June 1980 at a dinner in honour of Mr. H. Schmidt, the Chancellor of the Federal Republic of Germany, Mr. L.I. Brezhnev said: "In the face of continuing attempts to whip up the arms race, we are addressing to the West an insistent appeal to stop, to lay aside various 'additional armament' programmes, to renounce the development of new types and systems of weapons, be they rockets, neutron weapons, chemical weapons or any other."

We are therefore surprised when, without taking the various initiatives of the socialist countries into account, various recommendations and prescriptions are advanced here, in the Committee on Disarmament, as to where the process of military détente on the European continent should start and how specific issues should be solved.

(Mr. Venkateswaran, India)

We must find answers to this and other questions as to who is responsible for the present grave situation facing mankind and what we should do to remedy matters. It is bad enough that in a nuclear exchange the combatants are likely to perish instantly, but for the rest of us who are not so lucky and will face the inevitable prospect of dying slowly through the effects of radiation, the prospects are even worse. Why should the rest of us perish in this manner? We are entitled to an answer from those who have nuclear weapons and who threaten to use them freely "to protect" their so-called security. If I may point out a further glaring anomaly, it is that the stockpiles of nuclear weapons which already exist are well above any theoretical threshold that anyone may need to assure mutual deterrence and perhaps even global annihilation.

The above question too is relevant in the context of the proposed treaty seeking to prohibit radiological weapons. I had explained in my statement on 10 July why my delegation objects to the exclusion from the scope of the treaty of radiation from nuclear explosive devices. The wider danger of slow death from radiation for the majority of mankind would be from radioactive fall-out caused by a nuclear war, and not by selective use of so-called radiological weapons as presently defined in the proposed treaty. We wish to underline this important aspect in our approach to the draft treaty.

In saying this we are not ipso facto opposing a convention to ban radiological weapons, which has been called for by the special session in paragraph 76 of its Final Document. It should easily be possible for the co-sponsors of the draft

(Mr. Venkateswaran, India)

treaty for moral and legal grounds, explained by various delegations in this Committee, to delete from the text the reference to exclusion of nuclear explosive devices in the definition of radiological weapons. Thereafter, it is up to their conscience to express whatever reservations they may care to express. We see no reason why the rest of us should subscribe to the doctrines of the co-sponsors of the draft concerning the use of nuclear weapons.

We indeed appreciate that the co-sponsors of the treaty on radiological weapons have spent a great deal of time in presenting us with a draft so that it could benefit from the negotiating process in a multilateral context in the Committee on Disarmament. The discussion on the treaty both in the Committee as well as in the Working Group has thrown up several fundamental differences of viewpoint. If we express an approach divergent to that of the co-sponsors, this should not be regarded as evidence of any ulterior motives or as an attempt to hold up the process of negotiations. These differences of approach reflect the very different principles on which many delegations, including mine, approach the question. If the co-sponsors find it impossible to accept any changes in the draft treaty, except for a few editorial ones, then it is always open to them to sign the treaty in its present form themselves, just as they have signed the SALT agreements earlier. The practical effect of this agreement to eschew radiological weapons would be just the same. Our time in the negotiating forum could then be spent more fruitfully in dealing with other urgent questions of nuclear disarmament.

We feel that in the above circumstances it may be best if the entire matter concerning the ban on radiological weapons, together with all the comments and amendments proposed by various delegations, is submitted to the General Assembly for its consideration. My delegation believes that serious thought should now be given as a matter of urgent priority to nuclear weapons and the nuclear arms race which pose the most serious threat to our future and our survival.

(Mr. Herder, German Democratic Republic)

In the interest of early progress in the negotiations on a prohibition of the development and manufacture of new types and systems of weapons of mass destruction, we are also explicitly supporting the proposal recently presented by the USSR on setting up a group of experts within the framework of the Committee on Disarmament. This group should embark both upon the preparation of a draft comprehensive agreement and on the consideration of the question of concluding special agreements on individual types of weapons of mass destruction. At the same time, such a group of experts could monitor the situation as regards the development of new types of weapons of mass destruction and submit recommendations for their prohibition.

In our opinion, the Committee on Disarmament should as soon as possible take a decision on implementing the initiative of the Soviet Union. We propose that the Chairman of the Committee should take appropriate steps in order to reach a decision on this question already during this month.

In the course of negotiations within the Ad hoc Working Group on Radiological Weapons, the socialist countries have given enough proof of their readiness to conclude individual agreements on the prohibition of specific new types of weapons of mass destruction. They have entered into negotiations with the purpose of reaching as soon as possible an agreement on a draft convention prohibiting the development, production, stockpiling and use of radiological weapons, and of reporting to the thirty-fifth session of the United Nations General Assembly on the results achieved in this respect. Thus, they are acting in accordance with United Nations General Assembly resolution 34/37 A requesting the Committee on Disarmament "to proceed as soon as possible to achieve agreement, through negotiation, on the text of such a convention and to report to the General Assembly on the results achieved for consideration by the Assembly at its thirty-fifth session".

My delegation views the early elaboration of a draft convention prohibiting the development, production, stockpiling and use of radiological weapons as one of the most urgent tasks of this Committee. We believe that the political importance of such a prohibition could hardly be overestimated at the present stage. Saying this, we have the following in mind:

Firstly, the Committee for the second time in history has the opportunity to prohibit once and forever a specific type of weapon of mass destruction. This would be the first preventive prohibition of a weapon of mass destruction. All member States of the Committee should be aware of the extraordinary responsibility they are bearing in this respect.

(Mr. Herder, German Democratic Republic)

Secondly, the conclusion of a convention at present would have positive impacts on the international climate which has been aggravated. It could contribute to improving the political atmosphere, which is badly needed, for further effective steps on the road towards the cessation of the arms race and to disarmament.

We hold the view that extremely favourable prerequisites are existing in this Committee for an early elaboration of a draft convention. The "Agreed joint United States-USSR proposal on major elements of a treaty prohibiting the development, production, stockpiling and use of radiological weapons" had been presented to the Committee. The discussions held up to now in the Working Group under the circumspect guidance of Ambassador Kömives have, thanks to constructive proposals on the text of the convention presented by a number of States, led to a further clarification of opinions; and on some points the differences could be narrowed. Proceeding from this stage of negotiations, importance has now to be laid on passing on to an agreed formulation of the individual articles of the text.

Nevertheless, we regret very much that some States are trying to diminish the importance of a draft convention on the prohibition of radiological weapons, or to link the prohibition of these weapons with other questions in such a way that an early agreement would become impossible. We evaluate such an approach as a destructive one, and we consider it to be detrimental to the objectives of disarmament. The real willingness of each State to contribute to the halting of the arms race and to disarmament is not measured only with the help of general statements. It has to be proved by a constructive attitude towards concrete disarmament measures. Those who really work for genuine progress in the striving for the cessation of the arms race should do everything to participate constructively in reaching an early prohibition of radiological weapons.

(Mr. Issraelyan, USSR)

A few words now about the results of the consideration of the question of the prohibition of radiological weapons at the current session of the Committee on Disarmament.

The Working Group on Radiological Weapons has, in accordance with the programme that has been adopted, practically wound up its activities at this session of the Committee. Unfortunately, the Group was not only unable to complete its work in accordance with its mandate but was practically unable even to start work on the implementation of the mandate, i.e. on reaching agreement directly on the text of a draft treaty. The opinion of the Soviet delegation regarding the reasons which led to this state of affairs is well-known to the members of the Committee. The main reason is the existence of two fundamentally different approaches to the scope and subject of the prohibition.

We have already touched in part on this question at one of our previous meetings. We would like, first of all, to express our satisfaction at the fact that many delegations have displayed an interest in our statement on this question.

(Mr. Issraelyan, USSR)

As a result, the co-sponsors of major elements of a treaty on the prohibition of radiological weapons have been able to hold useful consultations with a number of delegations, in particular with those of India, Yugoslavia, Venezuela and others. We would like to believe that these consultations have helped to bring positions closer together.

The Soviet delegation exerted the utmost efforts in an attempt to ensure that the activities of the Working Group on Radiological Weapons would be constructive and fruitful in the spirit of the mandate of the Group. In our view, delegations represented in the Working Group now have a sufficiently complete idea of the positions taken by countries members of the Committee and of the arguments underlying those positions. It would seem that delegations will need some time to study the proposals and considerations which were advanced in the course of the work on the draft treaty. In this connexion we would like to state that we are ready to continue consultations on this question in any form and at any time.

We have also taken note of the proposals which were advanced both in the Working Group and in the meetings of the Committee to the effect that two States or any other number of States which are ready to take the Soviet-United States draft as a basis should sign it so that our time in the Committee on Disarmament would be used more fruitfully for discussions of other urgent issues. Such a possibility does of course exist, particularly since, judging by the discussion which took place, there will be quite a number of such States; and we have studied the above-mentioned proposal. However, we would not like to adopt this course because, in the last analysis, this could undermine the role of the Committee on Disarmament and would create an undesirable precedent for the elaboration and conclusion of other multilateral agreements in this field.

It seems to us that, in the spirit of the wishes of those delegations which expressed themselves in favour of maintaining the pace of the negotiations on the basis of the USSR-United States joint proposal, it would be advisable to think of continuing the work of the Working Group to bring the positions closer together in one form or another.

(Mr. Fonseka, Sri Lanka)

I would ask members of the Committee to recall for a moment their own experience both last year and this year when the Committee was presented with a draft treaty on radiological weapons. Last year, as I recall, those who sponsored the treaty thought and believed that it could be agreed upon fairly quickly; but this year, upon the establishment of a Working Group on the subject, we found that it was not so easy. Only a moment ago the distinguished delegate of Poland expressed his disappointment that the report of the Working Group on the radiological weapons treaty is not entirely satisfactory. That is a point of view, and no doubt it is a valid one; but what I want to say is that, if this Committee is to be presented with a draft CTB treaty negotiated hopefully by the tripartite negotiators, we should not rule out the possibility of the same problems arising with that treaty for the very simple reason that the point of view, the attitude and the emphasis which are of concern to those who sponsored the treaty are not completely shared by the entire membership. If that occurred in the case of the treaty on radiological weapons, I would not be exaggerating if I said that any draft treaty on a test ban is of interest to a larger number of the members of this Committee and they are not likely to accept very easily the concepts, the definitions, the scope or the protocol of a draft treaty prepared by trilateral negotiators, however well intended. The purpose of what I am saying is that, since this is a treaty for which there has been a much larger demand and interest in the international community as a whole -- and in this Committee in particular -- than for any other treaty that has come before this Committee, I would strongly recommend that the trilateral negotiators do not regard this plea as having just a nuisance value, since all of us are interested in the treaty and the sooner it is brought before the Committee in the form of a working paper, the better the prospects for such a treaty reaching fulfilment will be.

Mr. Chairman, I promise you I will not take more of your time. It remains for me to reassure the trilateral negotiators that these remarks that might appear too critical are not made mala fide: they are made bona fide. As I have said, I have not endeavoured to make a comprehensive analysis of their statement as such. However, let them bear in mind that if they could devote their efforts to the creation of a working group in the Committee, I think that would be a major achievement when the Committee begins its work next year.

(Mr. Flowerree, United States)

I would like to return to a brief examination of the results of the Working Groups established by this Committee. Frankly, we were concerned that the Radiological Weapons Working Group did not make greater progress. On the basis of the initial reactions to the joint United States-USSR initiative on this subject submitted in July 1979, the General Assembly's call in resolution 34/87 A for the elaboration of an RW Treaty and the CD's decision to establish a Working Group for that purpose, we had thought that there would have been a greater agreement about what we were to negotiate and the desirability of drafting a treaty text. My delegation did not take the view that the joint United States-USSR initiative was a perfect document, not to be modified in any respect. Far from it. We welcomed suggestions on how it could be improved and clarified. We thought, however, that all delegations were aware of the scope of what had been proposed and were disappointed to see efforts being made to turn the RW initiative into something far different from what had been originally envisaged. We did not claim more for the initiative than it really is -- an effort to prohibit a weapon of mass destruction which although not now in arsenals, has been seriously considered, which was identified as a weapon of mass destruction by the United Nations in 1948 and which up until now has not been dealt with in any way in a disarmament context.

We have taken note of the points that have been raised by some delegations within the Working Group, questions that reflect a legitimate concern about the joint United States-USSR initiative within the framework of an RW convention as it was originally conceived and understood. The United States will consider these points carefully and at our next session hopes to be able to work with all delegations to resolve the problems that stand in the way of negotiating a convention that would fill a recognized void in the panoply of arms control and disarmament measures. Let me make clear that in no way do we consider work on an RW convention a substitute for efforts we have pledged to make towards controlling nuclear arms. But we do think it deserves serious attention and that this body should not miss an opportunity, modest though it may be, to ban a potential weapon of mass destruction.

Mr. VENKATESWARAN (India) : Mr. Chairman, at the time when the Committee is considering the reports of the various Ad hoc Working Groups, I would like to put on record some of the views of my Government on the proposed treaty for the prohibition of radiological weapons.

It is the view of my Government that the central problem in the field of disarmament, which has to be accorded highest priority, is the elimination of nuclear weapons. It is difficult therefore for my delegation to be enthusiastic in its support to the concept of the prohibition of radiological weapons, particularly since no meaningful steps have so far been taken to control and finally eliminate nuclear weapons which, in our view, constitute the most dangerous category of weapons causing death and destruction by radiation. The Treaty on the Non-Proliferation of Nuclear Weapons, besides being unequal and discriminatory, seeks to prevent only horizontal proliferation of nuclear weapons and does nothing to reduce -- much less prohibit -- the vertical proliferation of existing nuclear arsenals in the possession of the five nuclear-weapon States or to prevent the danger of a nuclear war.

It has been India's traditional and consistent disarmament policy to seek to ban all weapons of mass destruction. In pursuance of such a policy, India has supported and become a Party to the 1972 Biological Weapons Convention and has stood for the elimination of the other three clearly recognized and identified categories of weapons of mass destruction -- namely, nuclear weapons, chemical weapons and radiological weapons.

We have already stated our position with respect to the definition of radiological weapons contained in article II, paragraphs 1 and 2, of the draft text of the treaty on radiological weapons presented by the United States and the USSR. We are of the view that in our negotiations next year the search should continue for an appropriate definition which does not resort to an exclusion clause with respect to nuclear weapons.

In article II, paragraph 2, of the draft presented by the United States of America and the USSR there is a reference to the use of radioactive material with a view to causing destruction, damage or injury by means of the radiation produced by the decay of such material. We are of the opinion that radioactive material used for radiological weapons should be defined clearly in terms of the specific isotopes and quantities thereof which could be put to military use through their dissemination. The term "any radioactive material" is to our mind too vague for purposes of the proposed treaty.

(Mr. Venkateswaran, India)

Both in regard to articles I and IV of the draft treaty presented by the United States and the USSR, we are of the view that there should be an explicit reference to transfer of radiological weapons as well, and the scope of the treaty should specifically also cover transfer.

Article III of the draft treaty is also ambiguous in nature. Its language seems to suggest that the scope of the treaty is open-ended and extends beyond radiological weapons. Therefore, either this article should be drafted in a more precise manner so that it is clear what is intended, or it may be deleted altogether.

With respect to article V of the joint United States-USSR draft we feel that it is necessary to introduce the words "any radioactive material or" before the words "sources of radiation" so as to complete the meaning of this article and to bring it into conformity with article II.

Our final comment today concerns article VII of the draft United States-USSR treaty on radiological weapons. We have already commented on this article before, and have expressed our inability to accept a specific reference to the Treaty on the Non-Proliferation of Nuclear Weapons to which we, as well as many other countries, are not parties. We, therefore, propose that article VII should be reformulated as follows:

"Nothing in the Treaty shall be interpreted as detracting from the obligations assumed by any State under any other international treaty or other existing rules of international law governing an armed conflict."

My delegation would like to reiterate its willingness to participate, in a constructive manner, in the multilateral negotiations in the CD to formulate a treaty prohibiting radiological weapons. However, it is necessary that the views held by my delegation, as also those held by other delegations represented here, are adequately taken into account while drafting the final treaty text. While we appreciate the work already accomplished in this regard by the delegations of the United States of America and the USSR, we are of the opinion that the draft presented by them is capable of being refined and modified in a manner that will take into account the concerns expressed by delegations here. In this spirit we look forward to participating actively in multilateral negotiations on radiological weapons during the 1981 session of the Committee on Disarmament.

Mr. TAYLHARDAT (Venezuela) (translated from Spanish): Mr. Chairman, during the drafting of the report of the Working Group on Radiological Weapons, my delegation proposed the inclusion of a paragraph reflecting the position it had maintained during the substantive consideration of the joint proposal of the Soviet Union and the United States on a radiological weapons treaty.

The text proposed by my delegation is as follows (I am reading from the paper which I handed to the secretariat at the time):

"One delegation maintained the view that, as radiological weapons do not yet exist, and since it does not seem foreseeable that they can exist [y no parece previsible que puedan existir] as a specific type of weapon, the work of the Committee on Disarmament should be oriented towards the conclusion of a convention on the prohibition of the use of radioactive material for hostile purposes".

Delegations which participated in the work of the Group witnessed the efforts that were made on more than one occasion to prevent the inclusion of that sentence in the report — efforts which were subsequently confined to inserting, immediately after the Venezuelan paragraph, a sentence intended to neutralize or refute my delegation's point of view. It was even asserted that my delegation, by adopting its position, was violating or contravening General Assembly resolutions. This assertion is so absurd that we feel no need to reply to it or to pay any attention to it.

My delegation, respecting the right of any delegation to have its own point of view reflected in the report, made no objection to the inclusion of such a sentence. But then efforts were made to weaken the Venezuelan text by changing the tenses of the verbs used in it. This prompted my delegation to request the secretariat that the text included in the Spanish version of the report should be exactly the same as the one I had originally handed in, without any change.

I was given assurances that this would be done. Nevertheless, in the final version of the Working Group's report, which is contained in document CD/133, the text submitted by my delegation has again been changed. Once again, the tense of

(Mr. Taylhardat, Venezuela)

a verb has been changed, thus weakening the text. The second line of the paragraph summarizing my delegation's position contains the words "..... foreseeable that they could exist [previsible que pudieran existir]" whereas the text of the original version supplied by me reads: " foreseeable that they can exist [previsible que puedan existir]"

I wish, Mr. Chairman, to lodge a polite, but categorical and formal protest regarding this action. We cannot understand how a text, drafted in Spanish, handed in personally with a request that it be reproduced word for word without any change, should appear once again with a change which is clearly intended to weaken it. Once again, I should like to ask the secretariat to be kind enough to maintain the text which I provided, without changing as much as a comma.

This whole situation merely confirms my delegation's conviction that the view which we maintained is perfectly valid. The efforts to weaken the inclusion of our viewpoint in the Working Group's report are due precisely to the fact that this view is well-founded. This opinion does not stem from any whim or from any obstinacy, and far less from a desire to obstruct the work of the Committee. I wish to reiterate our opinion now so that it may be placed on record.

In the first place, it is an incontrovertible fact — which is stated in the Working Group's report — that radiological weapons do not exist. Furthermore, there has hitherto been no evidence that in future it will be possible to manufacture a specific radiological weapon which is perfectly identifiable as such. I have talked with a number of experts in various delegations, and no one has convinced me that it is possible to manufacture a clearly identifiable radiological weapon. All the explanations that I have been given referred to the different ways in which radiological material could be used for military purposes or for hostile purposes. It has been said that it is possible to create barriers with radioactive material. It has been said that a city's water reservoirs can be contaminated with radioactive material; it has been said that a portion of territory can be drenched with oil contaminated with radioactive material; it has been said that a train or a convoy carrying radioactive material can be blown up in order to contaminate an area. All this is certainly possible; but none of these uses of radioactive material involves the use of a weapon in the strict sense of the term which could be described as a radiological weapon. For this reason, my delegation thinks that the Committee, instead of spending its time preparing a convention on radiological weapons which do not exist and whose existence is not foreseeable, should spend its

(Mr. Taylhardat, Venezuela)

time on something more useful such as the prohibition of the use of radioactive material for hostile purposes. In our view, continuing the negotiations on a radiological weapons convention would be tantamount to indulging in wishful thinking, to deceiving ourselves into imagining that we are doing something important when the task we should really be undertaking lies in a completely different field. This is why, in our opinion, the Committee should change the approach it has adopted to this question.

In conclusion, Mr. Chairman, and in support of what has been the Venezuelan position on this question, I wish to quote the paragraph containing the conclusions to the chapter on this subject by the Stockholm International Peace Research Institute in its latest yearbook.

The SIPRI Yearbook for 1980 contains on page 384, under the heading "Conclusion", the following observations:

"The emergence of militarily useful radiological weapons is not an immediate or serious threat; therefore, a radiological warfare treaty, if needed at all, has very low arms control priority. The time and effort required to conclude such a treaty would be better spent on negotiating arms control and disarmament measures relating to nuclear weapons or chemical weapons, the mass destructive effect of which on human life and on the environment has already been demonstrated ..."

My delegation's position is not, in any case, intransigent or unalterable. If we could be shown convincingly and unambiguously that it is possible to manufacture a radiological weapon, my delegation would have no objection to reconsidering its position. Until that happens, we continue to believe that what the Committee should do is to elaborate an instrument designed to prevent the use of radiological material for hostile purposes by indiscriminate dispersion of such material or by any other similar methods.

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Mr. VRHUNEC (Yugoslavia): Mr. Chairman, we assess the work done so far by the Working Group on Radiological Weapons as very intensive and the negotiations that are under way as constructive and going in the right direction. It is our desire to arrive, as soon as possible, at a definite text of the international instrument in order that we may ban these dangerous weapons. The adoption of an international convention on radiological weapons will undoubtedly also give additional impetus to the taking of other concrete disarmament measures, nuclear in particular, and will encourage the further process of negotiation within our Committee for which this is, after all, the most important task.

In my statement, I would like to refer to two problems that I consider as fundamental. In saying this I would not like to imply that the other issues are not of corresponding significance. However, my delegation has been and will express its positions with respect to them during the process of negotiations in the Working Group.

Undoubtedly one of the most important questions concerning the further work on the convention is the problem of the definition of radiological weapons. As is known, my delegation has submitted its own draft definition to the Committee for consideration, and I would like to take this opportunity to offer some observations that have to do with our fundamental concept with regard to this question.

The definition of radiological weapons must contain the basic characteristics of this type of weapon of mass destruction and must clearly differentiate between this and other types of weapons of similar characteristics. We consider that it is possible to formulate a clear definition which describes radiological weapons and which must specifically refer only to these weapons. A very important circumstance is that radiological weapons in a concrete, operative and physical form are unknown. This was the reason why we focused our definition on specific characteristics of radiological weapons. Numerous scientifically-founded facts indisputably confirm that the basic characteristic of a radiological weapon is that it inflicts injury on living beings by its ionizing radiation. Other forms of energy can completely be neglected. When we say that radiological weapons act through their ionizing radiation, we consider that this radiation has been created during the process of natural radioactive decay, that the content of radiation in the physical sense is changeable while its ionizing trait remains constant. Being different from nuclear weapons which free large quantities of other forms of energy as well, such as mechanical energy, thermal energy and visible light, radiological weapons act on living matter through their ionizing radiation from the beginning to the end of their application as weapons. Once radiological weapons start to go into effect, the process of radioactive decay cannot be either stopped or accelerated. The acceptable and controlled risk of professional exposure in the peaceful application of radioactive material is transformed into an uncontrolled exposure of the largest segments of population with effects which are very numerous, when it is used as a weapon. On the basis of the above reasons we think that the definition which links the essential characteristic of radiological weapons to ionizing radiation and does not in any way imply the direct or indirect legitimization of nuclear weapons might be the most acceptable one.

(Mr. Vrhunec, Yugoslavia)

Permit me to dwell on yet another of the very important problems to which the convention on radiological weapons should devote special attention. This is the peaceful application of nuclear energy and, respectively, radioactive isotopes. The research and achievements registered in this field so far have attained an enviable level by which the application of nuclear energy for peaceful purposes creates great possibilities for the solving not only of energy problems but also of development throughout the world and particularly in the developing countries. There is a need to regulate this question within the system of international economic relations in such a manner that nuclear energy may really be used for peaceful purposes and development and not for the destruction of mankind. The non-aligned and other developing countries have for a long time been saying that it is indispensable to approach as boldly as possible the settlement of the economic and political situation in the world on the basis of equity, sovereign equality and justice aimed at creating optimal conditions for the utilization of all available resources for the further unhindered development of all and particularly for a more rapid development of the developing countries. A particular role is played by the adoption and implementation of those United Nations decisions which strive for the establishment of the New International Economic Order. The use of nuclear energy plays an especially significant role in this process and, therefore, poses the question of the establishment of international instruments that will accord corresponding attention and offer adequate solutions to this problem. One such international instrument should by all means be the convention on radiological weapons that we are trying to agree upon.

In the opinion of the Yugoslav delegation, the convention that we are trying to elaborate must secure the conditions for an unhindered use of all the potential possibilities of nuclear energy for development purposes on a non-discriminatory basis and with the full recognition of the interests of all. The recent Ministerial Meeting of non-aligned countries held in New Delhi accorded, inter alia, particular attention to these problems. In this connection, the Final document of the non-aligned countries contains the following statement: "They particularly stressed the right of each nation to establish its peaceful nuclear programmes in accordance with its own priorities and requirements, as well as the need for free and non-discriminatory access to nuclear materials and technology for peaceful purposes".

In this context, we consider that the convention we are trying to work out must reflect the aspirations and needs of all countries, especially the developing ones, by respecting the inalienable right to development and prosperity through the use of contemporary scientific achievements on the basis of a corresponding equitable co-operation between countries that possess the know-how and technology and those who do not have them but have a great need for them.

Mr. DE SOUZA E SILVA (Brazil)

May I turn now to the main subject of my statement today. Our Committee is examining this week item 5 of our agenda, namely, radiological weapons, according to our programme of work. In my statement of 12 February of this year, I have already had the occasion to share with the Committee my Government's general position on this matter. Brazil believes that the Committee on Disarmament should concentrate its efforts on issues to which a much higher priority has been assigned by the General Assembly, rather than devote the scarce time available to measures which are, at best, lateral to the main problems of disarmament. So far, the Committee has been unable to agree even on the organizational aspects of the substantive negotiations on nuclear disarmament or the comprehensive test ban, the urgency of which has been unanimously recognized in the Final Document and in countless United Nations resolutions. It should not be difficult to imagine the dismay of the membership of the United Nations if the Committee on Disarmament cannot go beyond presenting the international community, at the forthcoming General Assembly, with a draft text on weapons that do not exist, and which according to some expert opinion do not stand even the chance of ever existing, and reporting at the same time that no progress has been accomplished on measures deemed vitally urgent by the higher forum on repeated occasions. My delegation sincerely hopes that the earnest desire displayed in some quarters for the speedy conclusion of a text on radiological weapons be matched by a corresponding willingness to arrive at a workable arrangement that will enable the Committee also to tackle the urgent questions to which the highest priority was assigned.

(Mr. de Souza e Silva, Brazil)

Nevertheless, we believe that a convention on the prohibition of radiological weapons might be useful in two main directions. First, it should contain explicit provisions that spell out the commitment of the parties to concrete measures of nuclear disarmament; secondly, it should be conceived as an effective tool to promote international co-operation on the peaceful utilization of radioactive materials for peaceful purposes.

One of the main difficulties to which the Ad Hoc Working Group has been addressing its attention is the formulation of an acceptable definition for the kind of weapon that would be the object of the prohibition. My delegation favours the suggestions that have been made in the Committee and in the Working Group, according to which it would be advisable to define radiological weapons by their characteristics, rather than by explicitly excluding nuclear weapons from the purview of the convention. There seems to be little point in adopting a definition that amounts to a legitimization of nuclear weapons only to have the following article disclaim that fact by stating that nothing in the convention can be interpreted as legitimizing nuclear weapons. Such a disclaimer would, in fact, only underline the assumption that the very real nuclear weapons are, indeed, considered as a viable option, while the non-existent radiological weapons are prohibited. The exclusion clause, as it has been described, is, for those reasons, unacceptable to my delegation.

As we have already pointed out, the proposed convention on the prohibition of radiological weapons provides the international community with an opportunity to give formal expression, in an internationally binding instrument, to the commitment to nuclear disarmament. We believe, therefore, that the convention should contain an explicit provision to that effect, and not merely a vague preambular reference to nuclear disarmament. In the history of international agreements in the field of disarmament, a provision of this kind would mark a significant step forward.

In 1968, the predecessor of this Committee was called upon to approve an international treaty that contains, in its article VI, explicit provisions regarding nuclear disarmament. The Parties to which the Treaty accords a special status seem, however, to have interpreted that provision in a diametrically opposite sense. The second review Conference of the Parties to that Treaty, celebrated last year, showed the growing concern of the vast majority of its Parties, who have scrupulously adhered to the obligations entered into and are still waiting for a better understanding, by those same Powers, of the commitments embodied in article VI. Clearly, the expression of the commitment to nuclear disarmament on the part of the nuclear-weapon Powers needs to be reinforced at the legal level. The proposed convention on the prohibition of radiological weapons affords the Committee on Disarmament, and the international community at large, a new opportunity to achieve that purpose.

The question of the peaceful uses of radioactive materials and sources of radiation is also of paramount importance for the Brazilian delegation. We are firmly convinced that the proposed convention could serve a very useful purpose if it were to further and promote international co-operation in that field. While

(Mr. de Souza e Silva, Brazil)

preventing the possibility that radioactive material could ever, even in the remote future, be utilized in warfare by those that have the technological means to envisage such a possibility, the convention would have quite a constructive impact if it were to facilitate and enhance the peaceful applications of such materials in the present. My delegation has already made its views known, in the Working Group, on this subject, and I do not have to repeat them here in detail. Suffice it to say that we prefer a positive formulation for the corresponding article of the instrument, rather than simply stating in a negative way that the provisions of the convention will not hinder or prejudice the use of radioactive material for peaceful purposes; mention should also be made of the need for promoting international co-operation, including co-operation in the field of transfer of technology. The delegation of Romania last year made some interesting proposals to this effect, and also introduced, this year, a constructive amendment to article V of the draft convention. The suggestion embodied in working paper CD/RW/WP.4, submitted last year by the delegation of the Federal Republic of Germany, is in our opinion also very positive. We further believe that every nation has an inalienable right to carry out national programmes for the peaceful use of nuclear energy in all its forms. The recognition of this right by the parties to an eventual instrument should, thus, not be limited to the parties themselves; we are dealing here with a general principle that should be stated in a general, non-discriminatory manner.

Discrimination may also arise from formulations which tend to confer a privileged status on some of the parties to the proposed convention, as would be the case if the complaints procedure made use of the Security Council of the United Nations. We fail to see the merit of establishing a procedure that can easily be blocked by a handful of nations, among which, incidentally, are included those that possess the technological means to contemplate the production of radiological weapons. My delegation would be unable to agree with a mechanism for the lodging of complaints that does not take into account the principle of the sovereign equality of States. Procedures designed to solve problems that may arise in the application of the provisions of international agreements cannot contain any elements of discrimination among States parties.

These are the main views of the Brazilian delegation on the question of a convention to ensure that, in the future, radiological weapons will not be added to the arsenals of States. The low priority of this question, as compared to the urgent need for other measures contained in the Committee's agenda, should not, of course, prevent the Committee from proceeding with its efforts for the negotiation of a convention, and my delegation stands ready to continue making its contribution to the discussion. According to the mandate of the Ad Hoc Working Group, the completion of the examination of the main elements of the future treaty will provide substantive material for the next phase of the task.

Mr. LIDGARD (Sweden): First, Mr. Chairman, I want to convey to you our congratulations on your assumption of the chairmanship for this month. Needless to say, we are confident that the Committee will fare well in your experienced hands. Further, the Swedish delegation will continue to make all efforts in order to contribute to this effect. I should also like to address myself to your distinguished predecessor, Ambassador Herder, and to say again how we appreciated the skilful and impartial way in which he accomplished his task in the month of March.

Radiological weapons are on our work programme for this week and I am going to focus on this item in my intervention today. I should first like to express my great appreciation of the way in which Ambassador Kómives of Hungary is conducting the Working Group on Radiological Weapons. He has shown his full devotion to his task, which he is accomplishing with the greatest skill and energy. We shall continue to give him our full support till the work has been concluded, which we hope will be at the end of this session.

However, we see danger in the argument which some delegations have put forward, namely, that the CD must prove its capacity to negotiate disarmament agreements through rapidly approving the draft elements of a convention on radiological weapons that have been submitted to the Committee. We agree that it is in our own as well as in the general interest that the CD should prove its efficiency in the negotiation process. This may imply a further intensification of our work. It may also imply a more critical look at our priorities, and it is in this context that I should like to express our deeply felt concern.

We do not believe that we shall be responding to the expectations of the nations of the world, which are eagerly waiting for disarmament measures, if what we submit to them after years of bleak results are measures of a very limited importance, which some may even state to be no real disarmament measures at all but only sham arms limitation. The CD should be very careful in order to avoid such criticism. We must refrain from submitting disarmament agreements to the United Nations which we cannot honestly state to be of any importance.

It is in this light that we have scrutinized the draft elements on radiological weapons. We think that here we are placed in front of some very important and difficult decisions, and I grant that they may be particularly painful for the two delegations which have submitted the draft elements to the Committee.

As I stated in my intervention in this Committee on 26 February last year, quoting from a Dutch working paper from 1970 (CCD/291), "judging by the available information, possibilities for radiological warfare do exist theoretically but do not seem to be of much or even of any practical significance".

Studies which have been undertaken by the competent scientific and technical institutions in Sweden since the early 1950s, and which have now again been carefully examined, show that the development of specific radiological weapons, as defined by the drafters, is a very remote possibility. They could hardly become practical weapons of mass destruction or have any effective use in the battlefield. A radiological weapon of sufficient strength for denying an enemy access to significant areas of terrain would be almost impossible to fabricate, handle or deliver.

(Mr. Lidgard, Sweden)

To produce the necessary amounts of radioactive substances, large nuclear power reactors or large special production reactors would be needed. If, for instance, an ordinary electrical generating station of 1,000 MW electric output is shut down at the saturation level for many of its most energetic waste products; if, then, all its fuel elements are taken out and grained to powder after a cooling period of one month, and if, finally, the resulting matter is spread out to cause a dose rate of 1,000 rad/hour, i.e. denying access to the contaminated area, only 4 km² would be covered. It should be noted that the fuel inventory of such a reactor has a weight of some 150 tons, and the enormous radioactivity of some 1,000 MCuries. The shielding necessary to protect personnel from this amount of radiation would come to several hundred tons of material.

It is obvious that such a bulk of deadly dangerous material could not be handled for dissemination without killing one's own personnel long before the material could have an impact on an enemy.

We have repeatedly asked the drafters to substantiate why they consider radiological weapons a possibility in warfare, but we have never obtained any specific answer. Only once has an effort been made to give technical data in order to support the conception of radiological weapons as something real and threatening. The delegation which came forward in that endeavour, mentioned that one ton of the isotope scandium 46, if disseminated, would effectively bar access to about 1,000 km². That is true.

However, it is also true that handling such an amount of that nuclide (34,000 MCuries) would be even more impossible than handling the reactor fuel waste I have just mentioned. Moreover, its production would require the use of all at present installed reactors in the world. The same analysis would apply to other nuclides of potential interest for radiological weapons.

Such weapons, as defined by the author of the draft elements, are as a matter of fact impossible to realize physically. New means of handling protection, which could make them more realistic in the future, do not seem possible. There is one obvious way to cover areas with radioactive substances in sufficient amounts and with sufficient flexibility to make them generally useful to the military. That is the production of these substances at the target by means of surface explosions of nuclear weapons. That case is exempted from the prohibition in the draft convention.

It was argued last year that low dose contamination of wide areas, while having no immediate somatic effects, would be a weapon of mass destruction, because a very large number of people could be affected. However, those effects would appear only after a long delay -- 10-20 years -- and they would therefore have no military meaning.

In expressing our doubts about the feasibility of radiological weapons I have tried to be more explicit and specific than diplomatic. Not all delegations here have the means to carry out studies of the kind I have referred to. We are strongly convinced that honesty requires a clear and straight presentation of facts behind the problems we deal with. We consider the reputation of the CD to be at stake.

Therefore, we think it is the obligation of those who state radiological weapons to be a threatening reality to substantiate their arguments in scientific and technical terms. We must have an open discussion of this very fundamental question.

(Mr. Lidgard, Sweden)

There exists, on the other hand, a very real risk of mass destruction from the dissemination of radioactive substances in war, apart from nuclear explosions. That is the case of military attacks on nuclear power industry installations, where very large amounts of radioactive materials are present. In this case the main obstacles to the use of radiological weapons are bypassed, namely, the production and delivery problems.

As shown by numerous studies in many countries, including my own, nuclear reactor catastrophes caused, for instance, by a military attack, would have lethal consequences for man over an area of the order of 100 km^2 , depending, of course, on the meteorological conditions at the time. It means that in densely populated regions with a developed nuclear power industry, large populations would be involved. This is so today in the industrialized countries, but in the future many densely populated developing countries with emerging nuclear energy production may come under the same threat.

The radioactive effects of an attack on an ordinary power reactor could cause immediate effects comparable to the fall-out from a 20 kT nuclear-weapon surface explosion, while the long-term radioactive effects could be in orders of magnitude more severe than those for a nuclear explosion. It should be noted in this connection that the production rate of radioactive substances in a 1,000 MW nuclear electrical generating station is equal to that of one 60 kT atomic bomb every day. After some time of operation, the core of such a reactor is very dangerous indeed, if brought into the open. The radioactive material would in this case not have "cooled off" most of its radiation as in manufacturing a radiological weapon.

In my country we have made an extensive study of the catastrophe risks concerning the reactors at Barsebäck in southern Sweden. These reactors have an aggregate electric power output of 1,160 MW and, if damaged, the risk zone for lethal radioactivity spreadout would include about $3,000 \text{ km}^2$ where about one million people live. It would not be difficult for me to mention, on the basis of this study, which populations would live in similar risk zones around reactors situated in Central Europe, the Soviet Union and the United States of America. Some of these risk zones would extend into neighbouring countries. The data are easily available. The reactors are all listed by IAEA.

In addition to the zone of killing-dose rates, large areas of the order of $1,000 \text{ km}^2$ would be covered by radioactive substances in lower concentrations, that would not kill people at once but would make it necessary to keep those areas evacuated for a long time.

The draft elements exempt the most effective method of radiological warfare, namely, that of using nuclear weapons. If our proposal for banning military attacks on nuclear power stations is not accepted, the second most effective method would also be exempted. Only the impossible method of using special radiological weapons will be forbidden.

The Swedish delegation has elaborated its proposal in a working paper (CD/RW/WP.19) which was submitted to the Working Group on 16 March 1981. The discussion of the proposal is proceeding in the Working Group and I shall therefore limit myself to three points.

First, it has been stated that the Swedish proposal is a rule of war and therefore does not belong to a convention on radiological weapons. To this I should like to respond that actually article III in the draft elements also is a rule of war,

(Mr. Lidgard, Sweden)

since it contains an explicit undertaking to refrain from a specific action of warfare, namely, the deliberate employment, by its dissemination, of radioactive material to cause destruction, damage or injury. Our proposal can be conceptually placed within this framework.

It should be added that disarmament or arms limitation agreements sometimes also encompass rules of war. In this case it seems so much more appropriate, since the specific weapon that the agreement would prohibit is of such remote possibility, if not altogether unfeasible.

Secondly, it has been stated that the Swedish proposal has already been taken care of in the 1977 Additional Protocols (I:56, II:15) to the Geneva Conventions of 12 August 1949. As we have already stated in our working paper, these provisions are limited in two respects. They cover only nuclear electrical generating stations and leave other installations with large amounts of radioactive materials uncovered. Further, their purpose is limited to providing protection for the civilian population in the vicinity of these installations, but permit military considerations to take priority over the humanitarian ones and thus provide for exceptions from the protective provisions. A general prohibition of radiological warfare should cover all important risks and have no loopholes.

Thirdly, the question has been raised how not to place military installations under protection. In our working paper the approach was to show that there are scarcely any military installations on land with a high radiation intensity and that therefore no important military option would be sacrificed if preponderance were given to the prevention of the possible mass destruction effects. Nuclear weapons, stocks of fissionable material for such weapons and means of production for them would, of course, not be protected. We see, however, no difficulty in explicitly limiting the protection to civilian nuclear energy facilities. As I just said, IAEA publishes extensive data about such facilities, so they are well known, but if it would be considered necessary, it could also be envisaged that the States parties, in order to obtain protection for their civilian nuclear energy facilities would have to notify the depositary about them and their location and also mark them in the way stipulated in the 1977 Additional Protocol for nuclear electrical generating stations.

Concerning the military importance of this protection, I do not think that it is necessary to point out that the military objective of terminating power supply from nuclear power plants can, without much additional effort, be achieved through other means than by attack on the reactor itself. It is also only a direct hit on the reactor that creates the release of radiation of the dangerous magnitudes I have previously referred to. The same is true as regards other nuclear facilities to be protected, such as reprocessing facilities and deposits of spent fuel and radioactive waste.

To sum up, we think that the two delegations which have submitted to us the draft elements of a convention on radiological weapons owe it to us to give a precise and specific explanation why they think that this issue deserves our priority attention. I have at some length given my authorities' views why we think that radiological weapons, even without a prohibition, most probably never will come into existence. Since others, not least those outside this Committee, probably will raise the same question, I want to repeat my request for precise and clear information why the two delegations have come to a different conclusion about the technical feasibility and effectiveness of radiological weapons.

(Mr. Lidgard, Sweden)

On the other hand, we see a very obvious risk for radiological warfare through the dissemination of radioactive substances by attacks on nuclear energy installations with high radiation intensity. An effective prohibition against such warfare would be hailed as an important step forward by public opinion, not only in the industrialized countries which today have a nuclear power industry or have nuclear facilities close to their borders. It will in the future be of great interest to an increasing number of countries as further growth of the nuclear industry takes place.

The CHAIRMAN: I thank the distinguished representative of Sweden, Ambassador Lidgard, for his statement and also for the kind words he addressed to the Chair.

MR. CIARRAPICO (Italy)

I should like to speak today on item 5 of our agenda, entitled, "New types of weapons of mass destruction and new systems of such weapons; radiological weapons".

With respect to the more general aspect of this item, we have noted the proposal submitted on 7 April last by the Hungarian delegation, concerning the convening of informal meetings of the Committee, with the participation of governmental experts. Although the proposal is structured in a more complete and detailed manner than other similar proposals put forward in past years, we believe that we must maintain, in respect of it, the reservations which, in common with other delegations, we have expressed repeatedly in the past. In our view, the most effective approach to the problems which may be raised by new systems of weapons of mass destruction is to negotiate separate agreements on specific types of such weapons as soon as they are identified. I should like to recall in this connection that, for many years, discussions were held in the United Nations in an unsuccessful attempt to arrive at an adequate definition of the terms "weapon of mass destruction", "weapons system" and "new weapons system".

We also fear that, given the limited time available for the Committee's deliberations as a whole, such a proposal could be adopted only at the expense of other topics of greater priority and urgency.

My delegation welcomed the presentation to the Committee, on 10 July 1979, of a joint proposal by the United States of America and the USSR on major elements of a treaty prohibiting the development, production, stockpiling and use of radiological weapons.

We believe that the conclusion of such a treaty would constitute a modest, but useful, contribution to the disarmament process.

First, a treaty on radiological weapons should be considered as the implementation of the prohibition on radioactive material weapons referred to in the definition of weapons of mass destruction contained in the resolution of the Commission for Conventional Armaments, of 12 August 1978. Coming in the wake of the prohibition of bacteriological weapons, it would place outside the law a new system of weapons of mass destruction which, although for the time being neither operational nor deployed, has nevertheless been identified.

Secondly, a treaty on radiological weapons would have the advantage, not only of averting a potential danger, which is becoming increasingly real with the rapid build-up of radioactive materials, but also of alerting Governments and public opinion to the dangers of certain new forms of modern warfare.

(Mr. Ciarranico, Italy)

Thirdly, the elaboration of a treaty would provide an impetus to the achievement of progress in other areas of disarmament. In the view of the Italian delegation, this consideration is of particular importance at a time like the present when the general situation is not itself propitious to the efforts made in the field of disarmament. It is not an insignificant fact that the basis for our discussions within the Committee should be a joint American-Soviet proposal. We all know that, to be successful, the disarmament process requires the combined will of the two Powers possessing the largest military arsenals. Within the narrow limits of its scope, the joint proposal is a demonstration of such a combination of will.

Fourthly, the elaboration of a treaty on radiological weapons could afford the Committee its first opportunity to fulfil the task for which it was set up, namely, the negotiation of the texts of agreements. We are aware that there is a sharp divergence of views in that respect. We nevertheless believe that, with less than a year to go before the second special session of the General Assembly devoted to disarmament, it would be useful to have at our disposal a concrete example which would permit the international community to judge whether the Committee, in its present form, is in a position to discharge its mandate and to meet the technical conditions necessary for the conduct of negotiations. As for the Committee itself, the experience thus acquired cannot but prove useful as a precedent for other, more complex, deliberations in the future.

These are some of the reasons why my delegation has from the outset, co-operated towards the success of this undertaking.

It seemed to us that, in negotiating this treaty, the Committee should set itself two main goals: on the one hand, to arrive at a precise definition of radiological weapons and to prohibit them, and on the other to ensure that the provisions of the treaty do not entail any interference with other perfectly legitimate and important activities such as the peaceful use of nuclear energy and radioactive materials. In keeping with this approach, we have submitted a number of specific proposals and suggestions.

The patient and tireless efforts of the Chairman of the Ad Hoc Working Group, Ambassador Komives, to whom we should like today to express our sincere appreciation of the work accomplished, have shown that it is possible to amend and enrich the joint American-Soviet proposal in a constructive manner, by incorporating the ideas put forward by a number of delegations.

The Ad Hoc Working Group has advanced from the stage of identifying the main elements of the future treaty to that of negotiating on each of the elements identified. It would be desirable for the Group to be able to pass on to the final stage, that of the drafting of the text of the treaty. My delegation, for its part, is prepared to participate in that work, with the collaboration of its experts.

It must be recognized, however, that the actual drafting work can be undertaken with a reasonable hope of success only if all delegations accept the idea of a convention of limited scope the urgency and importance of which would not be of the first order.

Another approach has been suggested, which would entail the radical widening of the field of application and the role of the convention. In this context, questions of major importance have been raised and discussed.

(Mr. Ciarranico, Italy)

The question arises as to how far the present structure of the convention, as it emerges from the amended version prepared by the Chairman of the Working Group, is capable of absorbing these new elements without needing to be entirely recast and without this jeopardizing the possibility of agreement.

It is our feeling that certain concerns could be adequately accommodated either in the preamble or in the body of the convention, for example, those regarding the priorities which the Committee should observe, and the duty incumbent upon it to resolve, first and foremost, the problems presented by weapons systems which have already been developed and deployed, in particular in the nuclear field. Others raise problems calling for very detailed study.

The memorandum submitted by the Swedish delegation on 16 March 1981 and contained in working paper CD/RW/WP.19 is one example. We are grateful to the Swedish delegation for preparing a paper which has the merit of being thought-provoking, and to Ambassador Lidgard for providing us, in his statement of Tuesday last, with very interesting additional information, including information of a technical nature.

Those aspects are receiving careful study by the Italian authorities.

It would be premature to try to formulate any comments, even of a preliminary nature. I would simply note that the memorandum raises real problems and expresses legitimate concerns which Sweden is not alone in feeling.

At this stage, it is more important to reflect on these problems, rather than to know whether they can be solved within the framework of a convention on radiological weapons, or within the context of humanitarian law applicable to war situations. They will undoubtedly constitute an important subject for discussion at our summer session. My delegation's attention is directed towards a careful evaluation of the dimensions of these problems and in particular of the effects which could result from conventional military attacks on nuclear power stations and also on reprocessing facilities and waste deposits bearing in mind also the variety of types of existing installations.

In its discussions, the Ad Hoc Working Group has dealt also with another issue to which my delegation attaches special importance, that of the peaceful use of nuclear energy and radioactive materials. Last year, my delegation took the initiative of proposing amendments to the text of the joint proposal, with a view to safeguarding the right of parties to the treaty to institute international co-operation in the field of peaceful uses. Other delegations made proposals designed to give a positive tone to the text of the convention by reaffirming, on the one hand, the right of States parties to have access to technology, equipment, scientific information, etc. and, on the other hand, the obligation of States parties to promote international co-operation to that end.

In our view, such an approach could be adequately reflected in the treaty. Moreover, the examples of the Convention relating to biological weapons and the Convention relating to environmental modification techniques, which contain provisions of this type, lead us in this direction and can themselves serve as useful precedents guiding our efforts to reach a satisfactory compromise.

Mr. VENKATESWARAN (India): Mr. Chairman, it is a matter of great satisfaction to my delegation to see you, the representative of a country with which India has close and friendly links, as the Chairman of the Committee on Disarmament for the month of April. We are convinced that under your able guidance the work of this Committee will be significantly advanced and the basis laid for achieving further concrete results during the rest of our 1981 session. We would also like to take this opportunity to express our appreciation to Ambassador Gerhard Herder of the German Democratic Republic, who guided the work of this Committee before you in a skilful and effective manner.

My delegation would today like to address itself to the problem of new weapons of mass destruction and radiological weapons. As far as new weapons of mass destruction are concerned, we have consistently taken the position that in the long run it would be necessary to evolve a mechanism whereby military applications of new advances in science and technology are put under general and effective control. What we are witnessing today is a phenomenon where the pace of progress in weapons technology is constantly outstripping the slow and halting pace of disarmament negotiations. It is a fact that the increasing complexity of new weapons systems which are introduced makes the task of adequate verification more difficult. The paradox is that the technological arms race has not resulted in greater security for any of its votaries. If nothing is done soon to ensure that the development of science and technology is used only for the advancement of human welfare and economic and social development, the arms race is bound to go out of control.

It has been argued by some in this Committee that it is unrealistic to evolve a mechanism to prevent the development of new weapons systems until such systems have already been identified. This point has once again been mentioned by the distinguished delegate of Italy this morning. However, in doing so, one should not neglect the historical experience of the last several decades. Time and again we have seen that once a new weapon system has been evolved or a new military application of some scientific or technological breakthrough has been identified, efforts to apply control or restraint to them have been largely discouraged. To those who have developed them, new and apparently more sophisticated weapons systems appear to provide the instrument for obtaining an edge over a potential adversary or in redressing a perceived military imbalance. Even if this is not the case, there have been occasions where new weapons systems have been used as bargaining counters in negotiations on arms control.

My delegation has noted with interest the proposal made by the Soviet Union for the setting up of an ad hoc group of experts under the aegis of this Committee to consider both a general prohibition on new weapons of mass destruction as well as specific measures in regard to the prohibition of specific potential weapons which have been identified. We regard this proposal as a constructive one meriting attention. As the only multilateral negotiating body in the field of disarmament, the Committee on Disarmament cannot shirk its responsibility in

(Mr. Venkateswaran, India)

dealing with a problem which is at the very heart of the continuing and escalating arms race. Of course, an ad hoc group of experts is perhaps not the only way in which we can deal with this problem. We could, for example, hold periodic meetings at which scientists and technologists could acquaint the Committee with new military applications of recent advances in science and technology. At some stage we could even think in terms of setting up an ad hoc working group of this Committee itself to negotiate effective international arrangements to deal with the problem.

In this connection, I would like to quote from a thoughtful paper presented by Lord Zuckerman at the Colloquium on Science and Disarmament held in Paris in January 1981. Lord Zuckerman pointed out that "the technological arms race has no finishing post, and because of its increasing cost and of the increasing cost of the use of its products in terms of trained manpower, it erodes the military establishment itself". Lord Zuckerman formulated what he has called the "incororable law of Research and Development". Some aspects of the law read as follows:

"Since the cost of developing a weapon system of a given degree of sophistication is much the same in all advanced industrialized countries, considerations of the absolute size of the economy come into play when a country wishes its forces to live up to the standards set by the arms race between the super-Powers and when it has to re-equip at frequent intervals with weapons which are more sophisticated and correspondingly much more expensive than those they replace. If we suppose that the percentage of the Gross Domestic Product that can be devoted to defence remains roughly the same from year to year, and that the GDP is rising steadily, it inevitably follows that the greater amount of money that goes to defence each year would be unlikely to buy more defence".

"A more expensive offensive system is countered by an even more expensive defence. The net result is an increase in expenditure on defence equipment by both parties, and usually an increase in the security of neither".

These remarks, of course, apply to all the major Powers.

Lord Zuckerman accordingly concluded that "the long-term consequences are, therefore, inescapable. If we are to be efficient in defence, we cannot plan on allowing our equipment to become obsolete. Equally, we cannot assume that a rising share of the Gross Domestic Product will be allotted to defence. Therefore, the alternatives between which we are forced to choose are to alter our commitments so as to avoid the need to introduce some of the most expensive new weapon systems; or to make our forces smaller; or a combination of both these measures".

At the end of his interesting paper, Lord Zuckerman expressed the view that scientists and technologists have much to contribute by explaining to their respective political and military leaders the facts of life of the arms race.

(Mr. Venkateswaran, India)

As he pointed out, what has happened over the past 20 years, far from adding to the security of nations, has made the world a much more dangerous place in which to live. One cannot but agree with his assessment that "the momentum of the technological arms race carries along not only the seeds of its own frustration, but of national bankruptcy -- or of worse, war itself."

It is therefore obvious that we in this Committee should be made aware of the so-called facts of life of the technological arms race. It is for this reason that we commend the Soviet proposal.

The Indian delegation has already put before this Committee its views concerning the proposed treaty prohibiting radiological weapons. We are prepared to engage in serious negotiations in the elaboration of such a treaty. However, it is only natural that as individual delegations we should seek to ensure that the treaty text does not contradict or undermine the positions of principle that our countries have taken with respect to certain fundamental political issues. India has consistently held that the possession and use of nuclear weapons cannot be a legitimate instrument of ensuring the security of States. As early as 1961 the General Assembly declared that the use of nuclear weapons would be a crime against humanity. The same declaration was reiterated in subsequent resolutions of the General Assembly, most recently in resolution 35/152 D. It is this fundamental stand on principle which underlies our objection to a definition of radiological weapons which resorts to an exclusion clause with respect to nuclear weapons. This stand has the support of several delegations in this Committee. The distinguished Ambassador of Brazil, in his thought-provoking statement at our plenary meeting of 7 April 1981, quite rightly pointed out:

"My delegation favours the suggestions that have been made in the Committee and in the Working Group, according to which it would be advisable to define radiological weapons by their characteristics rather than by explicitly excluding nuclear weapons from the purview of the convention. There seems to be little point in adopting a definition that amounts to a legitimization of nuclear weapons, only to have the following article disclaim that fact by stating that nothing in the convention can be interpreted as legitimizing nuclear weapons. Such a disclaimer would, in fact, only underline the assumption that the very real nuclear weapons are, indeed, considered as a viable option, while the non-existent radiological weapons are prohibited. The exclusion clause, as it has been described, is, for those reasons, unacceptable to my delegation".

The constructive manner in which delegations have engaged in the negotiations on a ban on radiological weapons has been amply demonstrated in the several contributions that have been made to overcome the problem of definition which we have referred to. Yugoslavia, for example, has put forward before the Ad Hoc Working Group a possible alternative definition which does not resort to an exclusion clause with respect to nuclear weapons. The distinguished

(Mr. Venkateswaran, India)

Ambassador of Yugoslavia made a full and convincing case in support of his proposal at our last plenary meeting. My delegation would like to express its deep appreciation to Ambassador Vrhnc for the efforts his delegation has made to seek a reasonable solution to a problem that, in our view, is fundamental for ensuring the success of our negotiations.

My delegation has suggested some precise and specific formulations for inclusion in a future treaty on radiological weapons. We are grateful to the distinguished Chairman of the Ad Hoc Working Group on Radiological Weapons, Ambassador Komives of Hungary, who has, in the texts that he has so carefully and meticulously prepared for the consideration of the Working Group, taken account of these concerns. He should receive our full support in the difficult and sometimes frustrating task that he has so graciously undertaken.

The distinguished representative of Sweden, Ambassador Lidgard, made a thought-provoking and convincing statement on radiological weapons at our last plenary meeting. We wish to express our gratitude to the Swedish delegation for the timely reminder that this Committee should not compromise its credibility in a hasty attempt to produce an agreement, which would not meet, even in a limited manner, the hopes and aspirations of the international community. Like the Swedish delegation, we too are not quite clear as to what we are trying to prohibit as the present text stands. The specific possibilities that have been suggested in the Committee appear to be exceedingly hypothetical when scrutinized closely. However, we are still prepared to negotiate a ban on such potential weapons, provided their specific technical attributes are made explicit and clear.

We have also taken careful note of the proposal made by Sweden that the proposed treaty on radiological weapons should also prohibit attacks on civilian nuclear facilities. Such a prohibition would certainly add to the validity of the convention which we are seeking to negotiate. The Swedish proposal will receive the most serious consideration by our Government.

In conclusion, my delegation is of the view that the Committee on Disarmament must first and foremost focus attention on priority items on its agenda. The cessation of the nuclear arms race and the achievement of nuclear disarmament are the most urgent and critical questions facing mankind. Our credibility, our relevance as a multilateral negotiating body in the field of disarmament, will be judged in the final analysis by our ability to negotiate concrete measures in the field of nuclear disarmament. A treaty banning radiological weapons could only have value if it is regarded as a step towards the eventual prohibition of all weapons causing death and destruction by radiation, including nuclear weapons themselves, which pose the greatest danger to human survival.

The CHAIRMAN: I thank the distinguished representative of India for his statement and for the kind words he addressed to the chair.

MR. ISSRAELYAN (USSR)

I should now like to dwell briefly on the question of the prohibition of radiological weapons. First of all, I wish to express our appreciation to Ambassador Kónives for his skilful and efficient stewardship of the Working Group on Radiological Weapons.

At the Committee's plenary meeting on 7 April we listened attentively to the statements of a number of delegations on this subject. In some of them -- and not for the first time -- the question was raised as to whether there is any need at all to deal with the problem of the banning of radiological weapons (meaning, precisely, weapons as such) in view of the fact that there are other unresolved issues in the sphere of the limitation of armaments and generally in the field of the lessening of the danger of war. The Soviet delegation believes that, since the introduction of the joint Soviet-United States document on the basic elements of a treaty on the prohibition of radiological weapons, the authors of this document and representatives of other delegations have devoted much attention to explaining and substantiating the idea, purposes, subject and scope of the prohibition in the proposed treaty. In particular, the danger of the development of radiological weapons has been demonstrated on the basis of the existence of a possibility in principle of using radiation produced by the decay of radioactive materials. Mention has been made of a possibility in principle of producing such weapons in the form of bombs, shells, fougasses, etc., intended for the dissemination of radioactive materials by means of an explosion. The possibility has also been indicated of developing special devices or equipment for the purpose of disseminating radioactive materials in a non-explosive manner, for instance, through their dispersion in the form of liquid or solid particles. Other possibilities, also, have been noted for the use for hostile purposes of radioactive materials which may be at the disposal of a State.

Many delegations have made references, among other things, to the United Nations definition of 1948 in which, even at that time, radiological weapons were identified as weapons of mass destruction. We wish also to recall the decisions adopted quite recently -- at the first special session of the United Nations General Assembly devoted to disarmament, held in 1978, and at the last regular session of the General Assembly, in 1980. Thus, paragraph 76 of the Final Document of the special session says the following: "A convention should be concluded prohibiting the development, production, stockpiling and use of radiological weapons". This provision is echoed in General Assembly resolution 35/156 G of 12 December 1980. Both texts, as you know, were adopted by consensus.

Certain other comments have been made replies to which, it seems to us, have already been given by the Soviet delegation both at the plenary meetings of the Committee on Disarmament and in the Ad Hoc Working Group on Radiological Weapons and in the course of the bilateral consultations.

The Soviet delegation, like many of the other delegations which are in favour of the earliest completion of the work on the text of a convention banning radiological weapons, has never, of course, contended that this is a priority question or that it should be considered and resolved before all the other issues. However, while we show our interest and actively participate in the examination of such crucial disarmament questions as the curtailment of the nuclear arms race, the complete and general prohibition of nuclear weapons tests, the prohibition of chemical weapons and a number of other issues, we at the same time believe that blocking any direction for the arms race, even a modest one, would be a step forward. And if there is the possibility of reaching such a decision now, we ought not artificially to slow down this work by introducing questions which, although important ones, bear no direct relation to the subject under discussion. We are prompted by the belief that the entire world community is interested in equal degree in achieving the prohibition of radiological weapons since every country will benefit in equal measure from the realization of this measure.

MR. SOLA VILA (Cuba)

The Ad Hoc Working Group on Radiological Weapons has worked extremely hard under the able guidance of the Ambassador of Hungary, Comrade Komives.

The matter of radiological weapons is as important as it is complex for the following reasons:

(a) The continued acceleration and diversification of scientific and technological progress show that it is possible for such a weapons system to be developed, the more so as it has not been possible to find a peaceful use for the radioactive waste from the nuclear industry, which has been stockpiled by the nuclear nations for many years.

(b) Radiological weapons are not yet defined as such; they have never yet been used, and there are many conflicting views among military experts as regards their effectiveness from the military point of view. Some of these aspects were explained by the Swedish delegation in the statement made by the Swedish Ambassador on 7 April.

However, my delegation believes that the possibility that radiological weapons will be developed cannot be totally excluded and it therefore urges the need for a treaty to prohibit such weapons, although such a treaty should not be prejudicial to the development by any State party of its nuclear industry for peaceful purposes.

I should like to make some general comments based on my delegation's study of the various documents which the Ad Hoc Working Group had before it, to give the Committee an idea of my delegation's position.

We believe that in principle an agreement can be reached on a treaty for the prohibition of the development, production, stockpiling and use of radiological weapons.

(Mr. Sola Vila, Cuba)

We consider that the contributions made by various delegations are positive and we greatly appreciate document CD/31 of 9 July 1979, presented by the Soviet Union and the United States of America.

We support the view that the relationship between so-called radiological weapons and existing weapons of mass destruction must be defined. My delegation has reached the preliminary conclusion that the only destructive factor in so-called radiological weapons is the action of ionizing radiation on living organisms, which creates a certain confusion when a comparison is made with the destructive factors of a nuclear explosion produced in the field. We listened very attentively to the statement of the Ambassador of Sweden in this connection and we shall study it carefully.

On the other hand, the definitions of so-called radiological weapons which have been proposed, and particularly that in document CD/31 of 1979 submitted by the USSR and the United States, are, my delegation believes, based on the idea of the dispersion or dissemination over an objective -- which may be the land -- of radioactive material which then exposes the human beings residing in the region or passing through it to external radiation.

We wonder what difference there is from the point of view of the term "dissemination" between the deliberate dispersion of radioactive materials over a country for military purposes and the "dissemination" of radioactive materials within that same country as a result of the bombing of nuclear power plants in the course of conventional hostilities.

Our small country is making great efforts towards and hopes to develop a programme for the use of nuclear energy for peaceful purposes. My delegation is therefore anxious that a future treaty on radiological weapons should include a provision on the protection of nuclear power plants for peaceful means, whether on land or at sea.

My delegation believes that the basic elements of a future convention on so-called radiological weapons are the definitions and the scope of that convention.

My delegation is against the idea that the problem of radiological weapons can be solved through nuclear disarmament. We understand and support the proposals on general and complete nuclear disarmament, but we feel that the one topic does not include the other, for technically demonstrable reasons.

In my delegation's view, what is important on this subject is to secure a treaty on the prohibition of the development, production, stockpiling and use of radiological weapons.

We are in favour of a future convention on radiological weapons which would make it compulsory for States parties to provide all the necessary information to prove that they are fulfilling the obligations they have assumed under the convention.

My delegation is perfectly willing to co-operate in this Committee in finding a solution to the differences which are still an obstacle to an agreement. We are in favour of consultations with experts during the summer part of the session so as to obtain all the necessary scientific information for the complete clarification of this issue.

We agree that this is not one of the highest priority matters within the context of general and complete disarmament, but we cannot ignore the importance that would attach to the Committee's achievement of some concrete measure in this connection.

The CHAIRMAN: I thank the distinguished representative of Cuba for his statement and for the kind words he addressed to the chair.

Mr. SUJKA (Poland): Mr. Chairman, taking the floor for the first time in plenary in the month of April, I wish to congratulate you warmly on your assumption of the chairmanship of the Committee on Disarmament and to wish you every success in guiding its work at, perhaps, crucial moments of this part of its 1981 session. Let me also express our admiration for Ambassador Herder of the German Democratic Republic for his excellent performance, particularly for his skilful and efficient leadership of the Committee in March.

Although the item concerning new types of weapons of mass destruction and radiological weapons is not on our agenda for this week, allow me to deal shortly with it and more precisely with radiological weapons. I do not want to enter into the details of a wide and constructive discussion which has been taking place recently in the Working Group on the principal elements of the future radiological convention. Thanking Ambassador Komives for his unremitting efforts in working out the draft text of the convention by the Working Group and pledging the full support of the delegation of Poland for his endeavours, I would like to refer now to the discussion on the subject matter that has been under way in the last plenary meetings. In fact, I feel somewhat alarmed by a certain tendency towards diminishing, if not totally negating, the importance of any document to be worked out on the prohibition of radiological weapons, which was noticed in the interventions of several delegations on 7 and 9 April.

Speaking about radiological weapons, I have in mind — like many other speakers — especially the radioactive waste materials. Let me put this straight question: what is the problem with radioactive waste materials in the world today? While reading some generally accessible sources, one may easily come to the conclusion, and I do not say that it is a particularly comforting one, that the quantity of these wastes is steadily growing. Thus, for example, the quantity of high-level wastes in the form of solutions of radioactive chemicals left over from the reprocessing of nuclear reactor fuels to retrieve plutonium, coming from military activities, only totals today tens of thousands of cubic metres. These radioactive high-level wastes emit gamma rays and atomic particles that can injure or kill living creatures. Radiation, as all of us here probably know, kills cells or damages the genetic material for reproduction. It is equally clear to anybody dealing with the problems of nuclear energy that the quantity of high-level wastes will still be increasing. Some reasons: the radioactive wastes come from nuclear power plants producing plutonium which, in turn, is needed for the production of different types of nuclear weapons. Besides, there is no doubt that the rapid development of nuclear energy for peaceful purposes will result in a growing quantity of high-level wastes in many countries coming from civilian activities.

Taking duly into account the dangerous aspects of the above-mentioned facts, the USSR and the United States of America presented in 1979 an agreed joint proposal on major elements of a treaty prohibiting the development, production, stockpiling and use of radiological weapons, published in documents CD/31 and CD/32.

(Mr. Sujka, Poland)

The scientific researchers in some countries are considering the question of what form the radioactive waste should be converted to for further disposal. They are studying a variety of ways of putting nuclear wastes into solid forms that will resist dissemination into the environment. One of the methods, for example, would be calcination, heating the waste until it turns to ash. Other methods include embedding the waste in glass or ceramics or in some kind of synthetic materials. What is most important in these considerations is the fact that the research is directed towards the substantial reduction of the size of waste and the condensation of the radioactive material. Bringing up the above, I simply wish to recall that at the time of conducting such experiments there might at the same time be considered or there might come out autonomously some ideas on the utilization and/or processing of the high-level wastes also for military purposes. The interventions pronounced by several delegations last Friday in the Working Group on Radiological Weapons, calling for review conferences of the future radiological convention every five years and justifying it by the development of science and technology in this respect seems precisely to confirm the assumption that one day may, indeed, bring unexpected qualitative changes in the development of radiological weapons. How can we reconcile this with statements considering radiological weapons as purely hypothetical ones.

To what I have already said I want to add only that radioactive wastes can be produced — with the present development of knowledge in this respect — either in liquid or in solid form. May I also add that today's medicine does not offer us any efficient medicaments against either acute or chronic radiotoxemia.

Taking all the above into account it would seem rather short-sighted to neglect or deny the possibility of conducting further research on radiological weapons. Such research may simply result one day in an improved form of this weapon. In other words, considering the entirety of anti-human aspects of the probability of use of radiological weapons, we should manifest a maximum of goodwill to reach preventive agreement prohibiting its production and use. Besides its importance in the preventive military domain, the convention would provide an advantageous climate in all actions leading to effective isolation of radioactive materials from the environment — an equally important aspect of the convention's role in the situation of growing utilization of nuclear energy for peaceful purposes.

We have been listening with great attention to the discussion and the arguments which were put forward in the Committee on the purposefulness and the significance of signing a convention prohibiting radiological weapons. I would like to say that my delegation is not convinced about the validity of the arguments minimalizing the aim and the importance of signing such a convention. Of course, we realize and we have often pointed out that the prohibition of radiological weapons has only relative importance in comparison with the evidence and the primordial problem of e.g. the prohibition of nuclear and chemical weapons. Therefore, it is not a matter to be settled at the cost of or in exchange for other problems. We are of the opinion, though, that we cannot neglect any chance to make however modest a step towards eliminating what is still a concrete danger. Such a step would have significance for paving the way for further measures, surely of more importance. This opportunity exists and in our opinion should not be wasted only because there are more important goals. It will be the disregarding of such an opportunity that will put us in a bad light, and not the taking of this initiative. In brief, we still strongly believe that it would be better to achieve something, however modest, than to achieve nothing.

(Mr. Sujka, Poland)

Let me now say a few words on other systems of weapons of mass destruction. The Soviet Union put forward last year a proposal supported by socialist countries, as well as by many non-aligned countries, to establish under the auspices of the Committee on Disarmament a special group of experts to work out the draft of a comprehensive agreement or partial agreements prohibiting the research on and the development of new systems of weapons of mass destruction. The basic task of such a group would be to follow developments in the field of potentially dangerous directions in scientific research, in order to take as early as possible appropriate preventive steps against emerging new weapons. We still hold the view that this Committee should pay due attention to the said proposal and examine the possibility of the establishing of such a group during the summer part of this session.

Mr. ADENIJI (Nigeria): Mr. Chairman, my statement today will be devoted to item 5 of our agenda: new types of weapons of mass destruction and new systems of such weapons; radiological weapons.

It is a matter of satisfaction to my delegation that the Ad Hoc Working Group on Radiological Weapons has got off to a good start this session under the able guidance of Ambassador Komives of Hungary. The identification of the basic elements of a future treaty, and the elaboration of their alternative texts will enable the Working Group to harmonize views that would lead to an agreed text. My delegation believes that this is a subject on which the CD should be able to report positive results in the form of a convention to the General Assembly at its thirty-sixth session as demanded in resolution 35/149. The Committee can thereafter concentrate its work during its spring session next year on achieving agreement on more significant measures for submission to the second special session of the General Assembly devoted to disarmament.

Various views have been expressed within this Committee and in the Working Group on the non-existence of radiological weapons, and the narrow chances of their being used in warfare. My delegation has no reason to doubt this view of the experts; however, I believe that agreement on the prohibition of such weapons of mass destruction as radiological weapons can be a step in the right direction. Prevention, they say, is better than cure. In any case we all subscribed to paragraph 76 of the Final Document of the General Assembly's first special session on disarmament which states: "A convention should be concluded prohibiting the development, production, stockpiling and use of radiological weapons."

The argument therefore in the Committee should not be why we should exert effort on this non-existent weapon; we did not set up a Working Group for such procedural arguments. Rather, our concentration should be two-fold: first, how to make our agreement on radiological weapons relevant to the whole process of our efforts in the wide field of disarmament, especially in the related field of arms that rely for their effect on radioactive materials -- the most lethal mass destruction weapons, and secondly, how to ensure that we complement agreement on non-existent weapons with agreement on existing weapons so as to avoid exposing the CD to universal ridicule for being incapable of reaching agreement on positive disarmament measures.

It is a well-known fact that the rate of scientific and technological research leading to breakthrough in and development of armaments far outpaces disarmament negotiations. The rapid quantitative and qualitative development of nuclear weapons and new systems of such weapons by the nuclear-weapon States continues to throw into sharp relief the very slow pace of negotiations both in this Committee and in other forums, be they bilateral or trilateral. The hope of the non-nuclear-weapon States is to see man's ingenuity which results in these scientific and technological progress converted to peaceful purposes.

It is gratifying that at the current session, the Ad Hoc Working Group has addressed itself to issues of substance in drafting a future convention. I would like to touch on some of these questions. Although the draft United States-USSR joint proposal submitted to the CD in 1979 provides a basis for negotiations, it needs to be broadened to meet the realities of the present day, as well as to reflect the

(Mr. Adeniji, Nigeria)

pertinent suggestions that have been made within this multilateral body. Progress in the completion of negotiations on radiological weapons depends, therefore, to a large extent on the willingness of the United States and the Union of Soviet Socialist Republics to accept constructive suggestions made by other members of the Committee on Disarmament. I hope the break before our summer session will give us all a time for serious reflection. To make a preventive convention such as the radiological convention relevant, it should be conceived in the over-all context of nuclear disarmament. Thus an explicit provision to this end should be an indispensable part. Its placing should not be beyond our imagination to reach consensus on.

In the same vein, the Swedish proposal that a future radiological weapons convention should cover prohibition from attacks on nuclear reactor plants and electrical installations is important. Ambassador Lidgard's statement on 7 April, a week ago today, was a major contribution to our work, for it showed the in-depth study undertaken on this question, thus enabling this Committee to understand the issues more clearly. The possibility of attack on nuclear reactor plants with consequent risk of dispersal of radioactive substances and the considerable destruction of lives farther and wider than the immediate theatre of conflict makes the proposal worthy of serious consideration. Even if Additional Protocols I and II to the 1949 Geneva Conventions contain certain provisions, these are conceived in a very different context -- the humanitarian. The CD cannot abandon its responsibility for disarmament measures in a comprehensive way, on the argument that a Red Cross instrument has made some references to a particular question.

As regards the peaceful uses of radioactive materials or sources of radiation, it is the view of my delegation that the convention should, in a positive manner, reflect the important link between disarmament and development. The provisions of article V as contained in working paper CD/RW/WP.18/Add.1 appears to my delegation too generalized to make the desired impact. My delegation prefers the inclusion of peaceful-use clauses, stating in clear and positive terms the right of all States to peaceful uses of nuclear energy for development. Nigeria, as a developing country, places a high premium on scientific and technological co-operation among States. This principle guided my delegation in introducing on behalf of the co-sponsors resolution 32/50, which recognizes the need for international co-operation in the field of nuclear energy, and also the desire to promote the transfer and utilization of nuclear technology for economic and social development, especially among the developing countries.

In a world situation characterized by growing tension and uncertainties, by feverish research and development in the military field, the emergence of an agreed text on even "non-existent" but not totally inconceivable weapons of mass destruction can be a useful contribution by this single multilateral negotiating body, if only to prevent activities in this regard and to save part of resources, human and material, from a further unproductive pursuit of the arms race. However, such a "negative" disarmament measure has to be supplemented quickly by positive measures

(Mr. Adeniji, Nigeria)

of disarmament if the CD is to justify its existence. On 10 April, only a few days ago, the Convention on the prohibition or restriction of use of particularly inhumane weapons was opened for signature in New York. To the Convention, there are annexed three Protocols. One of those Protocols covers weapons that are not known ever to have been used. This did not prevent its being the subject of a Protocol as a preventive measure. However, no one would have thought of opening for signature a Convention with only that particular Protocol. The value of the success of the United Nations Conference on inhumane weapons lies in its reaching agreement on two other Protocols concerning existing weapons which have actually been used in wars. The agreement on these two other Protocols placed the Protocol on the non-existent weapon on a different footing which intrinsically it does not on its own possess.

Let us bear this in mind in the CD. In fact, I should say to the CD, "Go and do thou likewise", i.e. like the United Nations Conference on inhumane weapons. Balance one, non-existent weapon with agreement on at least two existing weapons.

CD/PV.125

13

MR. MCPHAIL (Canada)

Reservations have been expressed by a number of delegations concerning the utility of negotiations to ban a type of weapon which does not exist at present, and for which there appears to be little practical application in the foreseeable future. Concern to bring into the text under discussion the practical consideration of the bombing of nuclear power stations has also been registered. This latter point will have to be seriously considered to see whether it can readily be incorporated into the text of the draft treaty under discussion. Inclusion of suitable wording on peaceful uses of radiological substances will also have to be considered. In the meantime the draft treaty as it stands does have the great advantage of closing off a weapons option and prospects for its development.

CD/PV.125

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MR. JIMINEZ DAVILA (Argentina)

The Ad Hoc Working Group on Radiological Weapons has managed to initiate negotiations on the text of a convention in a satisfactory manner although certain basic difficulties remain as regards the definition of such weapons and the scope of the convention. Argentina believes that in any event the definition of radiological weapons should in no way legitimize nuclear weapons and it also believes that the text of the convention should include the obligation to proceed to nuclear disarmament, as well as recognition of the right of States to the peaceful use of radioactive materials and an undertaking by States parties to strengthen international co-operation in this field.

MR. VENKATESWARAN (India)

The Ad Hoc Working Group on Radiological Weapons has further advanced its work during the 1981 session. In my plenary statement of 9 April 1981 I had occasion to comment upon some of the more important issues involved in the negotiation of a draft treaty prohibiting radiological weapons. We are optimistic that the pending differences over the scope of the future treaty and over the most appropriate definition to be adopted for radiological weapons will be satisfactorily resolved in the coming months. The question of the legitimacy of the possession and use of nuclear weapons is a key issue, and cannot be brushed aside as being extraneous. For is it not obvious that in a nuclear war the nuclear weapon itself would become a radiological weapon for the non-aligned and neutral nations, whose people would suffer death and injury from radioactive contamination and fall-out? The least that one may expect, therefore, is that a treaty prohibiting radiological weapons should not sanction the use of nuclear weapons, directly or indirectly.

MR. KOMIVES (Hungary)

An important direction in the work of the Committee, in the view of the delegations of the socialist countries, has been and continues to be the prohibition of new types and systems of weapons of mass destruction. This issue, like all other items on the agenda of the Committee, should be discussed using the appropriate organizational structures. We welcome the fact that the advantages of a competent examination of this issue in a group of experts are becoming ever more obvious for many of the delegations in the Committee. The mandate of such a group could be agreed upon at informal meetings of the Committee on Disarmament with the participation of experts during the summer part of the current session, as proposed by the delegation of Hungary in its working paper CD/174.

In the opinion of the delegations of the socialist countries, at the spring part of the session of the Committee on Disarmament real opportunities have existed for reaching agreement on the text of a treaty on the prohibition of radiological weapons. Regrettably, it has to be stated that, although the Ad Hoc Working Group on this issue has, indeed, succeeded in bringing somewhat closer the positions of the negotiating parties, nevertheless agreement has not yet been reached on the fundamental articles of a treaty. The delegations of the socialist countries intend to continue to work perseveringly for the earliest achievement of a final agreement on the text of a treaty, the importance of the conclusion of which is underlined both in the Final Document of the first special session of the United Nations General Assembly devoted to disarmament and in numerous resolutions adopted by the General Assembly.

MR. SHITEMI (Kenya)

In its resolution 35/156 G, the General Assembly, inter alia, called upon the Committee on Disarmament "to continue negotiations with a view to elaborating a treaty prohibiting the development, production, stockpiling and use of radiological weapons and to report on the results to the General Assembly at its thirty-sixth session". We are also reminded that the second special session devoted to disarmament is approaching, and we are therefore expected to show the fruits of our efforts. The conclusion of a treaty on radiological weapons, although it is not a disarmament measure in the real sense of the word, will contribute to our disarmament efforts. My delegation has noted with satisfaction that since the Ad Hoc Working Group on Radiological Weapons was established last year, it has held extensive discussions on the main elements to be included in a future treaty on radiological weapons. The Working Group has already concluded an extensive analysis on areas such as the definition of radiological weapons, the scope of prohibition, activities and obligations, as well as compliance and verification. We have observed that despite the efforts, many problems still remain to be resolved. The Ad Hoc Working Group has yet to find a suitable definition of radiological weapons that would meet the interests of all the delegations. My delegation shares the concern and the anxiety shown by many delegations that the conclusion of a treaty prohibiting radiological weapons should not be viewed as legalizing or conferring legitimacy upon the possession of nuclear weapons. Indeed, we consider the conclusion of a treaty on radiological weapons as the first step towards the banning of nuclear weapons themselves. We have studied the working paper contained in CD/RW/WP.20, in which the Chairman has consolidated various proposals in a single text, and we find it to be a suitable document which can, and hopefully will, form the basis of our negotiations during the second part of the Committee's 1981 session. We want to take this opportunity to express our satisfaction and our sincere gratitude at the way Ambassador Kómives has conducted the deliberations of the Ad Hoc Working Group in his capacity as Chairman. I agree he has wide shoulders.

Mr. KOMIVES (Hungary): Mr. Chairman, like my colleagues the Chairmen of the other Working Groups I also would like briefly to inform the Committee on Disarmament about the activity of the Working Group on Radiological Weapons. The work of the Ad Hoc Working Group on Radiological Weapons is well known to every delegation, and I consider that there is no necessity for me to go into details.

As members of the Committee will recall, the Committee, at its 105th plenary meeting on 12 February, by its decision contained in document CD/151,

(Mr. Kömives. Hungary)

re-established the Ad Hoc Working Group on Radiological Weapons on the basis of its former mandate which entrusts the Working Group with the task of "reaching agreement on a convention prohibiting the development, production, stockpiling and use of radiological weapons" (document CD/79 of 17 March 1980).

In carrying out its mandate the Ad Hoc Working Group took into account paragraph 76 of the Final Document of the first special session of the General Assembly of the United Nations devoted to disarmament, the relevant part of the Declaration of the 1980s as the Second Disarmament Decade and resolution 35/156 G of the United Nations General Assembly, which calls upon the Committee on Disarmament to continue negotiations with a view to elaborating a treaty prohibiting radiological weapons.

The Working Group held 10 meetings between 20 February and 23 April 1981.

Working papers have been submitted to the Working Group by the delegations of India, Indonesia, Yugoslavia and Sweden. Working papers have also been submitted by the Chairman of the Working Group containing alternative texts for the articles of a future treaty on radiological weapons.

In accomplishing its task, the Working Group, from February to April 1981, carried out another substantive and more detailed examination of the issues related to the elaboration of a treaty prohibiting the development, production, stockpiling and use of radiological weapons.

The examination of the issues relating to the elaboration of a treaty banning radiological weapons has shown that differing approaches and views continue to exist in connection with some important parts of a future treaty on radiological weapons.

To overcome these differences requires additional efforts from every delegation. It is my firm belief that the Working Group would be able to make decisive progress during the summer session provided that the necessary political will, increased co-operation and spirit of compromise prevailed. The conclusion of a draft treaty on radiological weapons would be a concrete contribution to the second special session of the General Assembly of the United Nations devoted to disarmament.

In conclusion, I would like to appeal to all delegations to make use of the interval between the end of the spring and the beginning of the summer parts of the Committee's session to reconsider their positions and continue consultations with a view to achieving decisive progress in the elaboration of a treaty on radiological weapons during the summer period.

Mr. DE SOUZA E SILVA (Brazil)

Finally, the Committee will resume negotiations on the so-called "radiological weapons". The low priority assigned to this item of its agenda should not deter the Working Group from its task. Several basic questions are still open, including the scope of an eventual convention. The recent developments I mentioned above have brought to the forefront the question of the dangers inherent in a direct attack on peaceful nuclear facilities. In view of the many technical and practical difficulties involved in assembling and putting to actual military use a device that would qualify as a "radiological weapon", it seems to my delegation that for the current negotiations to have meaning and substance it is imperative that the Working Group looks in depth at three main points, besides the actual definition of whatever specific weapons or groups of weapons are to be prohibited under the proposed convention: first, the relationship of such a convention to actual measures of nuclear disarmament; secondly, the promotion of the peaceful uses of sources of radiation; and thirdly, the ways to prevent peaceful nuclear facilities from being converted into agents of death through an attack, even by means of conventional warfare.

CD/PV.130
13-14Mr. ROS (Argentina)

My Government wishes to express its satisfaction at the progress achieved in the Ad Hoc Working Group on Radiological Weapons. Although we have reservations regarding some of the texts which are being considered, we feel that the general balance is positive. The prohibition of this category of hypothetical weapons has low priority, but an agreement on a draft treaty would relieve the Committee's agenda of this item and so facilitate the consideration of the truly important topics.

It has also been suggested in this Committee that the treaty on radiological weapons should also include prohibition of attacks on non-military nuclear installations. This proposal has become more pertinent since the recent Israeli attack on nuclear installations in Iraq. My Government, which has already expressed its profound disapproval of this attack -- this subject has been discussed among the Group of 21 and the Group's views will be brought to the Committee's attention in the course of this very morning -- considers that this action once again demonstrates the fragility of the nuclear-non-proliferation Treaty. The Iraqi installations were subject to the safeguards of this international instrument, whose reliability as an effective way of promoting the development of nuclear technology for peaceful purposes has now been further eroded. We believe that this incident merely confirms the rightness of our constant objections to the non-proliferation Treaty, following, as it does, the failure of the two conferences for the review of the Treaty and the views expressed by many States parties.

We consider that, in order to avoid so far as is possible a repetition of such actions, the international community should agree to the prohibition of attacks on non-military nuclear installations through legally binding multilateral norms, either in the convention on radiological weapons or in a separate instrument.

Mr. DARUSMAN (Indonesia)

With regard to the work of the Ad Hoc Working Group on Radiological Weapons, my delegation is pleased to note that, thanks to your competent chairmanship, it was able to make substantive progress. With your continued wise guidance and the co-operation of all the members of the Committee in the Ad Hoc Working Group, I am convinced that further progress will be made during this summer session and that a draft treaty text, reflecting all the working papers and proposals submitted, could be produced. In the opinion of my delegation, the questions relating to the definition of the weapons to be prohibited, the scope of the prohibition and the uses of radioactive materials for peaceful purposes are some of the questions of major importance to be dealt with by the Ad Hoc Working Group during this summer session of the Committee. With a view to assuring the sovereign and inalienable rights of every State to develop nuclear energy for peaceful purposes, my delegation would be in favour of including a provision in the proposed convention prohibiting attacks on peaceful nuclear facilities. My delegation disagrees with the arguments that the inclusion of such a provision would not be necessary because this is already stipulated in the 1977 Protocol I of the Protocols Additional to the Geneva Conventions of 12 August 1949, more specifically in its article 56. As was pointed out by my delegation during the spring session in its statements on chemical weapons, the inclusion of identical provisions in various international instruments is not unusual, and it would only reinforce the provisions concerned. My delegation referred to three Conventions and one draft convention which contain identical provisions. In addition, there are also practical considerations for having the provision I referred to earlier in the proposed radiological convention: if a State is not a party to the 1977 Protocol and if the radiological weapons convention to which that State is a party does not contain a provision prohibiting attacks on nuclear installations for peaceful purposes, this would mean that that State would not be legally bound by such a prohibition. The recent Israeli attack on the peaceful nuclear facilities near Baghdad, which was entirely without justification and has posed a serious threat to international peace and security and was condemned by the international community and most recently by the Security Council, renders the inclusion of a provision prohibiting attacks on peaceful nuclear facilities in the proposed radiological weapons convention all the more relevant. As was rightly stated in the statement made by the Group of 21 on 18 June, the blatant aggression committed by Israel poses a challenge to the sovereign and inalienable right of every State to acquire and develop nuclear technology for peaceful purposes. It is totally unjustifiable that peaceful nuclear facilities, situated in a country party to the NPT and put under IAEA safeguards, were subject to an attack. The irresponsible Israeli act was

(Mr. Darusman, Indonesia)

strongly condemned by my Government immediately after it took place. In a statement made on 10 June, the Indonesian Minister for Foreign Affairs stated as follows:

"The Government of the Republic of Indonesia condemns the Israeli air raids against the nuclear installations outside Baghdad on 7 June 1981. The attack, which was entirely without justification, once again demonstrated the complete disregard of Israel for the norms of international conduct and purposefully increased the tension in the Middle East".

The Israeli attack was also jointly condemned by the ASEAN member countries. In a statement issued in Manila on 17 June 1981, on the occasion of the annual meeting of Foreign Ministers of the ASEAN member countries, the ASEAN Foreign Ministers stated as follows:

"The Foreign Ministers condemn the recent unwarranted Israeli air attack on Iraqi nuclear installations near Baghdad and regard it as a serious violation of the United Nations Charter and international law. They express grave concern that this dangerous and irresponsible act would escalate the existing tension in the area and pose a serious threat to international peace and security".

If I may now turn to item 1 of our agenda, "Nuclear test ban", I wish to express the full support of my delegation for the recommendation contained in document CD/181 submitted by the Group of 21 that in the light of the discussions held in informal meetings of the Committee, an ad hoc working group on a nuclear test ban be set up at the beginning of this summer session of the Committee. Much has already been said in the past on the necessity of establishing such a working group. The Group of 21 has even gone further by also proposing in the document I have just referred to, a specific mandate for the ad hoc working group. Considering that working groups constitute the most appropriate forums for the conduct of negotiations, it is the hope of my delegation that those delegations which during the spring session of the Committee manifested their reservations on the creation of the said working group are now in a position to go along with the proposal made by the Group of 21 in order that actual negotiations can be conducted soon and that the Committee will be able to report to the second special session next year accordingly.

As regards item 2 of the agenda, "Cessation of the nuclear arms race and nuclear disarmament", in document CD/180 the Group of 21 has proposed that the establishment of an ad hoc working group on this item and its mandate should be the immediate objective of the considerations at the start of this summer session of the Committee.

We hope that this pending issue, i.e. the creation of ad hoc working groups on items 1 and 2, can be resolved without delay. Without the establishment of appropriate working groups, I am afraid, Mr. Chairman, that actual negotiations could never be conducted and that, consequently, this Committee would cease to be a negotiating body and would become a deliberative organ, at least as far as a nuclear test ban and the cessation of the nuclear arms race and nuclear disarmament are concerned.

(Mr. Jayakoddy, Sri Lanka)

Despite the low priority attached to it in our agenda, my delegation believes that the negotiation of a treaty banning radiological weapons will be a contribution to the disarmament effort in that it will hopefully eliminate at least one option for the qualitative improvement of nuclear weapons and, more importantly, indirect methods of waging radiological warfare. The recent Israeli attack on an Iraqi nuclear plant has brought into sharp focus the validity of the argument that a treaty banning radiological weapons should encompass the possibility of waging radiological warfare by attacks on peaceful nuclear power installations. My delegation wishes to stress strongly that a future treaty on radiological weapons should include positive provisions to facilitate access, for all States, to nuclear technology for peaceful purposes and international co-operation for the peaceful application of nuclear technology and radioactive materials.

My delegation is prepared to co-operate fully in your dedicated efforts as Chairman of the Ad Hoc Working Group on Radiological Weapons to facilitate the speedy finalization of negotiations on this item.

My delegation will continue to make its contribution, modest though it be, towards the success of this Committee's work.

(Mr. Skalli, Morocco)

With respect to radiological weapons, the Working Group has as its task the negotiation of a convention prohibiting the development, production, stockpiling and use of radiological weapons.

Although the conclusion of such a convention would not constitute a disarmament measure in the strict sense, we are, none the less, favourably disposed towards any initiative or measure aimed at preventing the emergence, and prohibiting the use, of new types of weapons of mass destruction.

When this question was examined by the Working Group, a major objection was raised with respect to the definition of radiological weapons as proposed in the draft text of a treaty submitted jointly by the United States and the Soviet Union. In this connection, the Moroccan delegation is of the opinion that whatever the definition we adopt, it must not in any way justify or legitimize the possession or use of nuclear weapons.

In addition, I should like to take this opportunity to reiterate my delegation's support for the Swedish proposal for the inclusion in the future convention of provisions prohibiting deliberate attacks on civilian nuclear installations.

The Moroccan delegation attaches very great importance to the negotiation and conclusion of a convention prohibiting chemical weapons. The elaboration of a convention on this question, which is, moreover, an urgent one and one which has been given high priority, would unquestionably constitute an effective and genuine disarmament measure.

Mr. RODRIGUEZ NAVARRO (Venezuela)

My delegation would like to refer briefly to the question of so-called radiological weapons. Venezuela's position on this subject is already well known. At the outset of the deliberations of the Ad Hoc Working Group on this subject we proposed a different approach, for the sole purpose of contributing to the achievement of a genuine measure of disarmament in this connection.

We stated at that time that the convention to be adopted as a result of the work of the Ad Hoc Working Group ought not to refer to radiological weapons, which do not exist, but to the prohibition of the use of radioactive materials for military purposes and the prohibition of radiological methods of warfare or methods of radiological warfare.

It was not, as we stressed, an inflexible position. Nevertheless, we merely followed with interest the deliberations of the Working Group, hoping that new elements would emerge which would result in additions or modifications more or less in line with the basic features of our delegation's original proposals.

Today we note with satisfaction that in recent weeks there has been a growing trend in favour of the inclusion of new elements designed to improve and broaden the draft convention. This trend became apparent with the proposals submitted by the Swedish delegation for the inclusion of provisions relating to the concept of

radiological warfare and attacks on nuclear reactors. This last point has proved relevant with the attack by Israel on Iraq's nuclear reactor, which the Government of Venezuela has condemned both individually and in conjunction with the other countries of the Group of 21.

These proposals have met with support in most quarters. If they are finally approved they will give a new slant to the convention on so-called radiological weapons, the substance of which will be greatly improved.

The new proposals, particularly as regards the concept of radiological warfare, reflect some of these very concerns which prompted the delegation of Venezuela, some time ago now, to propose a different approach. This is why we broadly support them. True, the Swedish delegation's proposals call for certain clarifications from the political, legal and technical points of view, but the basic idea is undoubtedly very valuable and ought therefore to be incorporated in the draft treaty.

My delegation wishes also to stress that the use of the term radiological weapons in a convention should in no way signify or imply the consequent legitimization of the use of nuclear weapons. In the treaty now being negotiated there should be a suitable linkage with nuclear weapons since, when all is said and done, so-called radiological weapons would be intrinsically related to nuclear weapons. A convention on this subject which, as we all know, does not have the same priority as other items on the Committee's agenda, will be really valuable only if it contributes to the prohibition and elimination of nuclear weapons, whose existence and potentially devastating effects of course leave no one in doubt.

(Mr. Onkelinx, Belgium)

Evaluation of the work of the Disarmament Committee will be one of the most important elements in this exercise of reflection, for what the international community will want to know is whether this multilateral negotiating body, set up more than three years ago, is capable of justifying the hopes that have been placed in it.

It will therefore be up to us to show that our Committee, in its present composition and with its present methods, can achieve concrete results by way of negotiations.

The ability of the Disarmament Committee to do so itself depends on a number of factors, of which I should like to mention those that seem to me the most important. First, there is the question of international security conditions, for the Disarmament Committee cannot negotiate in a vacuum, and it seems obvious to me that a tense international climate is -- alas -- not propitious for the attainment of any great progress in the sphere of disarmament. At the same time we ought not to underestimate the impact that efforts in this sphere could have on the restoration of confidence in international relations.

Secondly, the multilateral approach to disarmament cannot be divorced from developments in the separate negotiations going on in a number of priority spheres of disarmament. Belgium, which has always been in favour of these two approaches, naturally expects that the States responsible for the separate negotiations will take account of the overriding importance which the international community attaches to those negotiations.

Lastly and, I would say, particularly, the Disarmament Committee will be judged according to the combined will we have shown to make progress where that was possible.

Taking account of these factors, and bearing in mind the limited time available before the second special session, I should like to indicate three themes which would permit the Committee on Disarmament to demonstrate that this multilateral negotiating body merits the central role attributed to it in 1978.

In indicating these themes, I am not claiming that they are all of priority importance in relation to the problems posed by the gravity of the armaments race. I merely wish to point out that these are questions on which progress can be made and that it is important, in the present circumstances, not to neglect any possibilities for making progress, however limited they may be.

Thus, I consider that the time has come for the Disarmament Committee to conclude its negotiations regarding the prohibition of radiological weapons.

I also believe that between now and next spring the Disarmament Committee should complete the elaboration of a comprehensive programme of disarmament.

I would also like to see our Committee making substantial progress in the drafting of a convention on the prohibition of chemical weapons before the second special session.

Since, according to our programme of work, our discussions in plenary meeting this week should deal mainly with the question of radiological weapons, I should like to devote the remainder of my statement to that subject.

There are several reasons why Belgium attaches particular importance to the conclusion of a treaty prohibiting radiological weapons:

(Mr. Onkelinx, Belgium)

It would be one way of demonstrating that the negotiating machinery offered by the Disarmament Committee can function effectively;

It would also be the first time in the nuclear field that a treaty had been negotiated with the participation of the five nuclear-weapon Powers;

The very fact of the existence of an international agreement in the disarmament field would, in present circumstances, have a symbolic value which we cannot afford to disregard;

Furthermore, the procedure that has been followed with respect to these negotiations on radiological weapons coincides with our idea of the correct method to adopt in the matter of the prohibition of weapons of mass destruction, namely, first to identify these weapons and then to negotiate, one by one, their prohibition or limitation.

The negotiation of a convention on radiological weapons has made good progress since the submission to the Committee by the United States and the Soviet Union of their joint proposal on major elements of a treaty. We are particularly grateful to Ambassador Komives, Chairman of the Ad Hoc Working Group on Radiological Weapons, for the manner in which he is carrying out his important task.

Certainly, we would have wished these negotiations to be brought to a speedier conclusion, but we are aware of the importance of the points raised by many delegations, points which are themselves evidence of the importance we all attach to the question of radiological weapons.

We now have a consolidated text based on proposals submitted by the Chairman of the Ad Hoc Working Group. Belgium considers that this document, which is a combination of different proposals, should constitute the principal basis of our further work.

My delegation is particularly gratified to note that several of its own suggestions have been incorporated in the consolidated text.

We shall continue to make any contribution we can in the search for solutions to the various important problems which have not yet been resolved. Among these problems I would draw attention in particular to the following.

The problem of the definition of radiological weapons. The definition can obviously not include a reference to a nuclear explosive device. We understand the concern of those who fear that the fact of not mentioning nuclear weapons might be interpreted as justifying their use. Such justification was clearly not the intention of the bilateral negotiators, any more than it was their intention to settle the question of the legitimacy or otherwise of nuclear weapons. Would it not, then, be a good idea, as my delegation suggested last year, to include in the preamble to the convention a specific reminder of the goal of nuclear disarmament?

I would like to point out that in the negotiation of a number of disarmament instruments, use has often been made of the technique of incorporating in the convention an undertaking to negotiate subsequently either on matters on which it did not prove possible to reach immediate agreement, or on wider aspects of the general subject of disarmament. I might quote by way of example article V of the Sea-Bed Treaty, article VI of the Treaty on the Non-Proliferation of Nuclear Weapons and article IX of the Convention on the prohibition of biological weapons. We should not overlook this as a possible means of resolving a number of the difficulties which we have encountered in the negotiation of a convention on radiological weapons.

(Mr. Onkelinx, Belgium)

Another question to be decided is whether, in this convention, we ought explicitly to prohibit deliberate attacks on civilian nuclear installations in order to cause the release of radioactive substances. We are grateful to the Swedish delegation for drawing our attention to this important question, which is already partly covered by article 56 of the first Additional Protocol to the Geneva Convention. The question raised by Sweden is important in itself. It also adds to the field of application of the first Additional Protocol. Furthermore, this question has become much more relevant since the attack on an Iraqi nuclear research centre, an attack which the Belgian Government has strongly condemned and which, although it was not the subject of the Swedish proposal, could have foreshadowed what Sweden specifically wished to prohibit in the convention on radiological weapons.

We already, last year, raised the question whether this aspect should be included in the present convention or should appear in a different context. We do not wish the matter to be settled at this stage, because the arguments for and against are so complicated. My delegation is nevertheless ready, here too, to help find any solution that might be acceptable to all members of the Committee.

We ought, however, to be aware that, if we incorporate the Swedish proposal in the convention on radiological weapons, we shall substantially alter the scope of this convention and raise various problems, both of a legal nature and as regards the need to devise an adequate verification procedure. If, on the other hand, we consider that the Swedish proposal would be better placed in another context, either in an instrument complementing the Additional Protocols of the Geneva Conventions or in an entirely new instrument, we ought also to realize that it will take a great deal of time to work out the details of the Swedish proposal so that it can be implemented, and to resolve all the difficult questions that will arise. Could we not therefore make use of the technique I mentioned earlier and establish in the convention prohibiting radiological weapons the principle contained in the Swedish proposal, at the same time undertaking to negotiate on all its implications at a later date.

Another question to which my delegation attaches particular importance concerns the peaceful uses of radioactive materials. In this connection, we can accept the proposal made by the Chairman of the Working Group regarding article V of the proposed convention. In fact the provisions contained in that article in no way restrict the use of radioactive materials as authorized by article IV of the Treaty on the Non-Proliferation of Nuclear Weapons. However, article IV of the non-proliferation Treaty balances two ideas. The first is the one I have just mentioned. The second concerns undertakings relating to the promotion of peaceful uses. Belgium believes that it would be appropriate to include this dual concept also in the part of the convention on the prohibition of radiological weapons dealing with the peaceful use of radioactive materials. My delegation therefore supports those delegations which would like to see included in the convention prohibiting radiological weapons a provision on the promotion of peaceful uses. The precedents for this that exist in disarmament treaties such as the non-proliferation treaty or the Convention prohibiting biological weapons, should enable us to find an appropriate form of language.

Those are the comments I wished to make at this stage of our work. I hope that my remarks will have been enough to show the constructive spirit in which my delegation approaches all the matters that are before our Committee.

Mrs. THORSSON (Sweden)

I now turn to the proposed convention banning radiological weapons, which is being negotiated in the third Working Group, chaired by my old friend and colleague, Ambassador Komives. This issue is an obvious example of the limited importance which the Superpowers seem to attribute to the Committee on Disarmament. While they have steadfastly refused for a number of years now to enter into multilateral negotiations on a comprehensive test-ban treaty and are prepared to accept only limited negotiation activities in the chemical weapons area — both areas being of the highest concern to most peoples and nations of the world — they have not hesitated to put before the Committee a draft treaty on the prohibition of radiological weapons, which has, during our negotiations, been convincingly shown to be completely lacking in substance. It is my belief that the Committee made a mistake in agreeing to take up this item on its agenda to the detriment of more urgent questions.

In order to give some meaningful content to the draft convention on radiological weapons, the Swedish Government has proposed the inclusion of a prohibition of attacks against nuclear installations, releasing the radioactivity contained in such installations to the detriment of the people living in the area and their environment. Such attacks would, actually, apart from nuclear explosions, which are expressly exempted from the draft treaty, seem to be the only credible ways of waging radiological warfare. We firmly believe that such a prohibition should be added to the draft and are much encouraged by the support given to our proposal. Needless to say, the alarming event just about a month ago, which showed a horrifying distrust of the non-proliferation efforts of the international community, and which has been so sharply condemned in this Committee, should convince any rational mind that the original drafters of the proposed convention would do well to listen more carefully to the arguments that support our proposal. As matters now stand, we entertain grave doubts about the usefulness of going forward with the deficient text originally provided to us by the United States and the Soviet Union, as we do not think that it would add to the already suffering credibility of the Committee on Disarmament.

Mr. LUKES (Czechoslovakia)

May I now turn to agenda item 5, that is, to the question of a convention prohibiting radiological weapons.

The Czechoslovak delegation highly appreciates the work of the Ad Hoc Working Group on Radiological Weapons, which is chaired with admirable skill by Ambassador Komives. The elaboration of a treaty prohibiting the development, production and use of radiological weapons was urgently asked for in a number of resolutions of the United Nations General Assembly as well as in the Final Document of the first special session of the General Assembly devoted to disarmament. Our delegation is convinced that this task should be fulfilled without any unnecessary delay.

In the view of the Czechoslovak delegation the radiological weapons treaty will be a rather important result of the activity of the Committee on Disarmament.

When the four main categories of weapons of mass destruction were identified in the United Nations in 1943, radiological weapons were included for their evident potential complementary importance with regard to nuclear weapons. Since that time, the main military technical development has been aimed at the improvement of nuclear weapons, and radiological weapons have remained only potential. Nevertheless, their important complementary position in the nuclear-weapons area has remained unchanged.

(Mr. Lukes, Czechoslovakia)

One can be sure that if they were not prohibited they would be developed in future for a real military deployment. With this in mind, our delegation considers the elaboration of the treaty an actual and sufficiently important task which is fully in accord with the fundamental role of the United Nations in the area of protecting mankind from the disastrous consequences of the use of weapons of mass destruction.

Another highly positive effect of such a treaty which may be assumed with assurance is its influence on peaceful co-operation in the use of radio-active materials and the relevant technology on the basis of principles to be agreed on.

The third point indicating the importance of a treaty on radiological weapons is the fact that the treaty should serve as a concrete contribution by the Committee on Disarmament to the second special session of the General Assembly devoted to disarmament. Several delegations have already emphasized this aspect, and we share their opinion that concrete results will become the most important criterion by which the authority and prestige of the Committee will be judged, inside as well as outside the United Nations.

For all these reasons, the Czechoslovak delegation is ready to make all possible efforts to make the negotiation of the draft treaty concrete and effective, and to achieve the goal in the reasonably near future.

We share the concern of the Swedish delegation as regards the importance of the protection of civilian nuclear facilities. This problem is not new, and the concern of many countries has already been reflected in the 1977 Additional Protocol to the Geneva Conventions of 12 August 1949, as well as in several other documents of international law. Experience has shown, however, that it would be desirable to enforce the existing measures and to enhance their effectiveness.

We have some doubts, however, whether the convention prohibiting radiological weapons would be the right place for solving this problem. Several serious obstacles can be envisaged. We already had an opportunity to explain our views in the statement presented during the spring session of the Committee on Disarmament. Briefly summarized, there seem to be three important factors which must be taken into account:

1. The fact of the very concrete mandate which the Committee has for elaborating a convention prohibiting specifically radiological weapons;
2. The fact that any new treaty dealing with questions already covered by other instruments of international law would have a number of serious implications in areas of international law lying clearly outside the competence of the Committee on Disarmament;
3. The fact that the character of measures effectively protecting nuclear facilities, measures which could be realized in practice, remains rather unclear, at least with respect to the situation in industrially developed countries, with nuclear facilities becoming more and more an integral part of large industrial centres.

With all this in mind we tend, like several other delegations, to be in favour of finding a way of dealing with this very complicated and very specific problem of the enforcement of the existing rules for the protection of nuclear facilities separately from the radiological weapons treaty.

(Mr. Lukcs, Czechoslovakia)

The radiological weapons treaty is being negotiated as one specific part of a more complex item of our agenda, devoted to new types of weapons of mass destruction and new systems of such weapons, and is so far the first step of the Committee in this area. In the view of the Czechoslovak delegation, the problem of new weapons should not be underestimated. We sometimes hear the argument that there is not time for discussing new weapons while the problem of the prohibition of already existing weapons has not yet been solved.

The over-all experience of the last several decades clearly shows the profound influence scientific progress can have on the life of society. We have, however, also been repeatedly surprised by the unexpected negative consequences of such progress, as well as by its serious misuse. There are many such examples in all parts of the world and nearly all areas of human activity.

We have learnt, therefore, that much serious effort must be spent on timely analyses of scientific and technological trends and on prognoses of all possible consequences, including the misuse of discoveries for the purposes of the arms race. Without doing this we frequently face new and unexpected problems which can often be treated only with enormous difficulty -- if a successful solution is even possible.

For these reasons we support the proposal on establishing a group of qualified governmental experts which would meet periodically and would elaborate for the Committee surveys of discoveries and trends important with respect to the possible development of new weapons of mass destruction. This would help in the timely discovery of new important areas of negotiation; in any case, it would at least contribute to the provision of the Committee on Disarmament with objective information and to ensuring that no new important item had been missed in the Committee's programme.

Mr. ISSRAELYAN (Union of Soviet Socialist Republics) (translated from Russian): During discussions of the question of new types of weapons of mass destruction in the Committee on Disarmament, the Soviet delegation has repeatedly stressed the need for more intensive work on the elaboration of preventive measures prohibiting the use of scientific and technological advances for the development of such weapons.

While being in favour of a comprehensive agreement on the prohibition of new types and systems of weapons of mass destruction, the Soviet Union, as you know, also accepts the idea of the conclusion of special agreements for the prohibition of individual new types of such weapons. This position of ours is reflected both in the additional draft agreement on the prohibition of new types and systems of weapons of mass destruction submitted by the USSR delegation to the Conference of the Committee on Disarmament in 1977 and in our participation in the negotiations on the prohibition of radiological weapons.

I should like to express the hope that the meetings of the Committee with the participation of experts planned for the end of July will enable Committee members to form a clearer picture of the wide range of questions connected with the possible emergence of weapons of mass destruction. We also hope that these meetings will help to break the deadlock on the question of the establishment under the auspices of the Committee on Disarmament of an ad hoc group of experts to prepare a draft comprehensive agreement and to consider the question of concluding special agreements on individual new types and systems of weapons of mass destruction. A proposal for the establishment of such a group was submitted to the Committee by the USSR delegation on 15 July 1980.

We are firmly convinced that such a group of experts could become a most effective international body which could prepare for the Committee's use informal working materials on the subject of new types of weapons of mass destruction. The Committee would thus have at its disposal an important additional means for the regular monitoring of developments in the matter of potentially dangerous trends that might give rise to new types of weapons of mass destruction.

The fourth round of negotiations on the preparation of the text of a treaty on the prohibition of radiological weapons has now been going on in the Committee on Disarmament for almost a month.

We are expected — and have been expected for some time past — to produce an agreed text of a treaty. Such expectations were confirmed recently in the course of the work of the Preparatory Committee for the second special session of the General Assembly devoted to disarmament and in that of the United Nations Disarmament Commission. Our current session is, in fact, the last full round of negotiations on the elaboration of a treaty prohibiting radiological weapons before the convening of the second special session of the General Assembly devoted to disarmament. Taking into account the present state of affairs in other areas of negotiations on the limitation of the arms race and disarmament, the completion of the preparation of a radiological weapons treaty would not only be a real contribution to the solution of the problems that exist in that sphere, but also have great moral and symbolic significance as a solid step in a positive direction, which is particularly important in today's exacerbated world situation. The

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importance of the completion of our work on a radiological weapons treaty to the successful holding of the second special session on disarmament is also perfectly obvious. Neither can there be any doubt that the achievement of agreement on radiological weapons would enhance still further the authority of our Committee as the only negotiating body in the sphere of disarmament that is at present functioning.

What, then, is the position as regards the preparation of a radiological weapons treaty after a whole month of work at the summer part of our Committee's session?

As you know, as a result of the previous round the Ad Hoc Working Group has before it, in addition to the Soviet-United States text, an alternative text by the Chairman. Apart from certain small points, we fail to see any elements in the Chairman's text that would substantially improve the Soviet-United States text. However, in view of the not unimportant fact that the alternative text takes account of the amendments proposed by many delegations and commands a considerable degree of agreement among them, the Soviet delegation is also prepared to work towards agreed decisions on the basis of the Chairman's consolidated text.

At the same time, the situation in the Committee on the question of the prohibition of radiological weapons is practically one of deadlock. There are delegations that would like to solve a number of pressing problems relating to the limitation of the arms race, international humanitarian law and other fields. We have the highest esteem for such noble intentions.

It would, of course, be an excellent thing if together with the prohibition of radiological weapons we could also solve the problem of a general and complete prohibition of nuclear weapons under effective international control and many other disarmament problems as well. But, alas, that is unrealistic. It would be equally unrealistic to try to solve the problem of prohibiting attacks on peaceful nuclear installations within the framework of a radiological weapons treaty. Undoubtedly, Israel's barbarous attack on a nuclear reactor near Baghdad raises a number of important issues.

We sympathize with the idea underlying the proposal by the Swedish delegation concerning the need to protect civilian nuclear installations against attack. However, the inclusion of this proposal in the text of a radiological weapons treaty involves considerable difficulties. In the course of the discussions various delegations have pointed out not only the complexity of the problem as such but also the serious legal, technical and political implications, the careful study of which would take time.

We continue to feel that the solution of this serious and difficult problem should be sought within the framework of other international agreements. The discussion of this matter in the Committee has shown that many other delegations, too, hold similar views.

Now that, after two years of intensive work, a large number of States members of the Committee are willing to assume obligations in connection with the prohibition of the development, production, stockpiling and use of radiological

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weapons on the basis of the Chairman's text, attempts to question the very preparation of a radiological weapons treaty, which is specified in our mandate and in the relevant decisions adopted by the General Assembly at its session on this question -- decisions adopted, moreover, by consensus -- can only cause bewilderment. We are firmly convinced that the speediest possible conclusion of work on a radiological weapons treaty will be a perhaps small but important contribution to the general goal of limiting the arms race. No one can doubt that even a small step in that direction, especially against the background of the present international situation, would be better than the absence of any progress at all. We believe in the formula: a little is better than nothing. Others seem to think that the worse things are the better that is.

Considerable difficulties remain also in connection with the final drafting of the treaty's articles on definition, scope of prohibition, and peaceful uses. There are some other difficulties as well.

Thus the situation which has arisen in the course of negotiations is not simple. On the one hand, there are a number of countries for which the text of the treaty prepared by the Chairman could be acceptable. On the other hand, there is a group of States which would like to link the treaty on the prohibition of radiological weapons with a number of international problems that are important but bear no relation to the prohibition of radiological weapons.

We consider that the interests of the cause require us to show the necessary realism, to make optimum use of the time available to us and, by making additional efforts both individually and collectively, to complete the preparation of the text of a treaty on the prohibition of radiological weapons in the very near future.

Mr. WAGENMAKERS (Netherlands): Mr. Chairman, as you observed last Thursday, there was a large number of speakers at the 136th meeting of the Committee on Disarmament. At the end of that meeting the leader of the Netherlands delegation, Ambassador Fein, consented to defer his statement scheduled for delivery on 9 July until today. Unfortunately, Ambassador Fein is prevented from being with us today. In his absence I have been instructed to deliver his statement now.

It is a matter of satisfaction for my delegation to see you preside over the work of this Committee in the month of July. My delegation feels inspired by the fact that during this important period of the work of the Committee, it will be steered by your outstanding competence, diplomatic skill and dedication to the cause of peace and disarmament. We are convinced that your great gifts of spirit and of mind will stimulate the Committee to make substantial progress in this vital phase of its summer session. Needless to say, my delegation will be only too happy to contribute to the success of your chairmanship. Our appreciation goes to your distinguished predecessor, Ambassador Komives of Hungary, for the very competent and business-like manner in which he set the Committee to work in the month of June. We cordially welcome into this Committee the distinguished Ambassador Carasales of Argentina, Ambassador Jalali of Iran, Ambassador Jayakoddy of Sri Lanka and Ambassador Rodríguez Navarro of Venezuela.

Today I wish to make a statement on radiological weapons and radiological warfare. In this statement I shall make some proposals which I hope will be helpful in advancing our negotiations on these matters. I shall not, however, on this

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occasion, talk about new weapons of mass destruction in general except to remind you that it was the Netherlands that originally proposed, in our statement of 5 August 1980 (at the Committee's 97th meeting), the holding annually, during specially designated periods of time, of informal meetings on new weapons of mass destruction, with the assistance of qualified experts. We are pleased that at the initiative of Ambassador Komives of Hungary the Committee decided to do this, and as far as we are concerned that takes care of this problem.

Speaking about radiological weapons, I should in the first place recall the statement I made a year ago, at the formal meeting of the Committee of 9 April 1980. In that statement we commented in detail on the text of the draft convention submitted to this Committee jointly by the United States and the Soviet Union in July 1979.

Since then, during our discussions of this subject last year and also this year, many proposals have been made to improve on that draft text. Some of those proposals were interesting and they merit further discussion. As a result of those proposals there is now a Chairman's working paper with a consolidated text for a radiological weapons convention (CD/RW/WP.20 of 21 April 1981).

At this moment the most important outstanding difference of opinion, which stands in the way of an early agreement, concerns the scope and the definition of a radiological weapons convention. In the Ad Hoc Working Group on Radiological Weapons, on 26 June of this year, Sweden proposed certain interesting amendments to the text. That proposal, viz., to extend the definition of the scope of the radiological weapons convention in order to include the prohibition of attacks on civilian nuclear installations in the scope, deserves special attention. The background to that proposal was expounded in the Swedish intervention in the Committee on 7 April 1981.

The Netherlands is, in principle, sympathetically inclined to the Swedish proposal, which seems to be based on a thorough investigation of their own. We are therefore prepared to examine that proposal seriously, both nationally and internationally, in order to evaluate all its political and technical implications. Our very preliminary findings have led us to the following conclusions.

As we said in our intervention of last year, to which I referred at the beginning of this statement, the Netherlands shares the view that for purely technical reasons the development of specific radiological weapons is highly unlikely. We have always held the view that it is unlikely that such weapons can be developed. Moreover such weapons, even if they did ever come to exist, would be of little military value. The draft convention on radiological weapons as submitted to the Committee on Disarmament in July 1979 is therefore not a very interesting one from the point of view of arms control and disarmament. It is against this background that we in the Netherlands have looked at the Swedish proposal under discussion, because the launching of an attack on nuclear installations in an opponent's territory does constitute one of the few feasible and effective methods of waging radiological warfare. This is, unfortunately, not an inconceivable event.

It is our view that, since the United States/USSSR draft convention provides in article III not only for a prohibition of radiological weapons as such but also for a general prohibition of radiological warfare, there is sufficient ground to try to include in a constructive manner, acceptable to all, at least the essence of the Swedish proposal.

(Mr. Wagenmakers, Netherlands)

In order to contribute to the process of deliberation that is now under way in this Committee concerning this proposition, which surely is not an academic one, but on the other hand also taking into account the objections that in fact have been made to attempts to regulate these important matters in the radiological weapons convention, we would put forward the suggestion not to pursue — at least in this particular context — the formula proposed by Sweden, which reads: "never, under any circumstances, to attack or deliberately damage any civilian nuclear energy generating reactor, reprocessing plant or spent fuel storage facility on the territory of a State party to the treaty". In the context of a radiological weapons convention, one could rather envisage — and this is what we propose in place of the Swedish formulation — that it should be prohibited "to attack any civilian nuclear energy generating reactor, reprocessing plant or spent fuel storage facility on the territory of a State party to the treaty, if such attack may lead to the effective release of radio-active material causing, by its dissemination, destruction, damage or injury by means of the radiation produced by the decay of such material".

Allow me now to substantiate that proposal with the following considerations. Let us consider, first, attacks on nuclear installations that have the specific objective of releasing radio-active material in order to inflict destruction, damage or injury on the enemy: such attacks obviously do fall within the scope of a radiological weapons convention. On the other hand, any military action against nuclear installations that is not specifically designed to use released radiation, is admissible. An example would be the capturing of such installations with a view to halting the production of energy. In this connection, we are reminded that the Swedish proposal would be covered by articles 51 and 56 of Additional Protocol I to the Geneva Convention of 1949. The Netherlands, however, shares the view that those provisions are more restricted than the Swedish proposal under discussion, and they are also more restricted than what we have in mind ourselves, our own Dutch views. In the first place, article 56 of Additional Protocol I only refers to "nuclear electrical generating stations"; it does not refer to other nuclear installations with large quantities of radio-active material. In the second place, article 56 only offers protection to the civilian population in the vicinity of the installations. Moreover that protection is neither provided for if these installations happen to supply electrical energy on a regular basis for substantial and direct support to military operations, nor in a situation in which such an attack is the only practical way of putting an end to that military support role.

We do believe, however, that in the radiological weapons convention there should be, in one way or another, e.g. in the preamble, a reference to Additional Protocol I in order to establish a link between the two instruments. In this connection, we would also wish to draw attention to article 56, subparagraph 6, of Additional Protocol I, which reads: "The high contracting parties and the parties to the conflict are urged to conclude further agreements among themselves to provide additional protection for objects containing dangerous forces". This also serves to bring out and underline the complementary nature of such a provision in a radiological weapons convention. These are the observations I wish to make to underpin our suggested text alternatives.

I now wish to refer to the new Swedish proposal to distinguish between civilian and military nuclear installations and subsequently to mark this difference, as is suggested as a possibility in article 56, subparagraph 7, of Additional Protocol I in reference to, inter alia, nuclear electrical generating stations. We in the Netherlands, are, however, of the opinion that it would be legally unsound and from a military point of view undesirable to change the nature of that provision in the Protocol, which is in fact no more than a recommendation, into a treaty obligation in the convention on radiological weapons. Moreover, such a

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change into a treaty obligation would include reprocessing plants and spent fuel storage facilities. The Netherlands is of the opinion, as also suggested by Sweden, that the data published by IAEA concerning civilian nuclear installations should be sufficient to allow identification by military commanders of the civilian or military nature of a nuclear installation.

If the proposal to incorporate in the radiological weapons convention a prohibition of attacks on nuclear installations, as amended by us, in the text formulation I proposed just now, is accepted, thereby taking into account the remarks made from several sides, then we would, in our opinion, have achieved a significant advantage. The convention would gain significantly in value. Especially in heavily populated areas with a developed nuclear energy capacity, such a treaty would be well received, for the convention would include a prohibition of attacks on nuclear installations specifically intended to release massive radio-active contamination.

A few final remarks. As to the definition of radiological weapons, the Netherlands has no problems with the text proposed in the draft convention as submitted by the United States and the Soviet Union in July 1979. We do, however, consider an improvement of the prohibitions (articles I through III) of the radiological weapons convention desirable, as we stated in our intervention of 9 April 1980. The definition of radiological weapons should leave no ambiguity whatsoever: the convention relates exclusively to radiological warfare aimed at spreading radiological material other than by means of a nuclear explosion. I should remind you in this connection of the Netherlands proposal, in our intervention of 9 April 1980, for the redrafting of article II, subparagraph 2, and article III in that sense. I then proposed the redrafting of article II, subparagraph 2, to read as follows: "Any radio-active material specifically designed for employment, by its dissemination independently of nuclear explosions, to cause destruction, damage or injury by means of the radiation produced by the decay of such material". With the same objective in mind, article III should read: "Each State party to the Treaty also undertakes not to employ deliberately, by its dissemination independently of nuclear explosions, any radio-active material not defined as a radiological weapon in article II, subparagraph 2, to cause destruction, damage or injury by means of the radiation produced by the decay of such material".

By accepting these two texts we would do two things that make sense. We would create a link with the term "radio-active material weapons" as used in the definition of weapons of mass destruction by the Commission for Conventional Armaments of 12 August 1948. At the same time the Netherlands proposal regarding a qualified prohibition of attacks on nuclear installations, which I put to you earlier on, would also link up with article III of the convention.

My last remark on this matter is that we would appreciate it if a formula along the lines suggested by us could be incorporated in the definition as contained in the excellent Australian working paper of 1 July 1981 (CD/RW/WP.22).

I shall wind up my statement by addressing the vital question of the prevention of loss or diversion to radiological weapons of radio-active materials. This matter is dealt with in article IV of the consolidated text of the Chairman of the

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Ad Hoc Working Group on Radiological Weapons (CD/RW/WP.20). In this context it seems useful to recall the pertinent paragraph of the Netherlands statement at the 76th plenary meeting of the Committee, on 9 April 1980:

"I now come to the article which deals with the physical protection of radio-active materials. Within the IAEA, an expert group has in the past made recommendations on the physical protection of fissionable materials (IAEA document INFCIRC 225/Rev.1). These recommendations are implemented by many countries. Moreover, a Convention was recently concluded in Vienna on the Physical Protection of Nuclear Materials, particularly during transport. Both these recommendations and the Convention cover fissionable materials, either irradiated or not, but do not cover radio-active materials in which no fissionable material is present. If we accept the idea, as reflected in this article of the RW draft, that this category of materials must also be protected, parties must try to achieve common standards with respect to the level of protection. This could be done by amending the said Convention; but this does seem to be a somewhat cumbersome approach. Although my delegation certainly would not like to exclude the possibility of amending the Convention in the future, the most practical approach seems to be to ask IAEA to reconvene the expert group with a view to expanding the already existing recommendations so as to cover radio-active materials as well. Consequently, I propose to invite the Director-General of IAEA to present his views on this matter as soon as possible."

In the meantime, on 3 July 1981, the Netherlands delegation has submitted a proposal to the Ad Hoc Working Group on Radiological Weapons that the Director-General of the International Atomic Energy Agency be invited to present his views, preferably in writing on the relationship between article IV of the draft convention on radiological weapons and the Vienna Convention on the Physical Protection of Nuclear Material, as well as the guidelines for physical protection of nuclear material. This proposal is simple, constructive and without any implications of, for example, a military nature. Our sole aim is to try to establish maximum congruence between the work done in various forums, in casu located in Geneva and Vienna respectively, where new instruments of international law are being created. It goes without saying that the possible future advice of the Director-General of IAEA will in no way prejudice the decision the Ad Hoc Working Group will finally take as regards the wording of article IV of the consolidated text. The Ad Hoc Working Group works under the mandate given to it by the Committee on Disarmament, and this Committee is, of course, the only instance which de jure is empowered to draw up the radiological weapons convention. All the same, we deem it the duty of all States to see to it that agreements dealing with the handling of radio-active materials -- be these texts drawn up in Geneva or in Vienna -- form, between them, a formidable and coherent obstacle to unauthorized or illegal use of these dangerous materials.

Mr. ARRASSEN (Morocco) (translated from French): Our ancestors, who were not sparing of their time, invented the handshake, a symbolic gesture with three purposes: first, to gauge the potential striking power of the other; secondly, to check that not the smallest morsel of flint was lurking in his hand, and thirdly, to show him warmth or friendliness.

Since the vocation of our Committee is precisely that of disarmament, it ought, I think, to observe this ancestral tradition. It is, therefore, with real pleasure that I extend a warm handshake to you, Mr. Chairman, and through you, to India, which is not only a friendly country but also a potential Power, a setter of examples — examples of peace and of democracy. India has also with bare hands scaled the highest peaks of science and technology currently on record.

The world is more than ever in need of exemplars of this stature, for this world seems set on a dangerously reckless course: it is a world where the most powerful set us an example rather of primitive egotism, extorting exorbitant concessions from those who are weaker, or condemning them to agonizing renunciations, a world where everything seems ineluctably to be slipping from man's control, beginning with those very elements on which man's future and his survival depend — I am thinking in particular of armaments, with the exception perhaps of one category, and that is solely because it does not yet exist. I am, of course, referring to radiological weapons, on the subject of which I should like, with your permission, to say a few words.

From the military standpoint a radiological weapon is, as some put it, a nuclear weapon without the noise, or, if you like, one third of a nuclear weapon, for of the threefold effects of an explosive nuclear weapon, namely, mechanical effects, thermal effects and radiation effects, it has only the latter. These weapons, which are essentially based on the use, without any nuclear explosion, of radio-active material and waste from nuclear reactors — whatever the form they may take — can be used to inflict injury and damage on human beings, animals and plants through contamination.

Contrary to what is generally believed, this contamination may be caused by the firing of shells or rockets or the release of bombs containing radio-active agents or by-products, or by the direct dispersal of such radio-active elements from radiation-proof helicopters or pilotless craft.

In view of the development and spectacular progress of the electro-nuclear domain, the manufacture of radiological weapons is within the grasp of any country possessing the industry, however rudimentary, necessary for the production of the requisite materials. For the rest, there will always be other ways — many of them questionable, politically or commercially, or even constituting outright violations of the law — by which they can obtain fissionable materials or actual radiological weapons.

Since they are made from waste products, and are therefore within the reach of small budgets, radiological weapons, should they appear, might lead to a certain vulgarization of atomic weapons, a vulgarization the main consequence of which would be the birth of a new language of deterrence. For it must be realized that radiological weapons are of marginal importance only as regards the nuclear-weapon Powers or countries with large-scale conventional operational forces. For other countries, and especially developing countries, a power of deterrence based on radiological weapons — provided it is credible — could have a definite strategic value.

Clearly, only a complete and immediate prohibition of radiological weapons could obviate the risks that might result from such a situation.

(Mr. Arrassen, Morocco)

The negotiations on the prohibition of radiological weapons which were initiated on the urging of the United States and the Soviet Union have been going on in the Committee on Disarmament since 1979 with a view to the conclusion, in the words of paragraph 76 of the Final Document of the first special session of the General Assembly on disarmament, of a convention "prohibiting the development, production, stockpiling and use of radiological weapons".

In this matter, the Committee on Disarmament has taken a twofold decision: to set up an ad hoc working group, and to consider as a valid working base for negotiations the "Agreed joint United States-USSR proposal on major elements of a treaty prohibiting the development, production, stockpiling and use of radiological weapons", in spite of the fact that, on the one hand the proposal contains a juridically unacceptable mixture of the laws of war and disarmament measures, while on the other hand it is totally silent on the subject of what is nevertheless an extremely important problem, that of radiological warfare.

Many delegations, including Morocco, consider that this question of radiological warfare should be at the centre of the discussions of the Ad Hoc Working Group on Radiological Weapons. There are, moreover, in this connection, serious divergences of views between, on the one hand, the two authors of the joint proposal and their respective allies, who would like to confine the prohibition in the convention to radiological weapons as such, and, on the other, the non-aligned and neutral countries whose views on the matter are less restrictive and who would therefore wish to broaden the scope of the future convention in such a way that the prohibition would cover not only all means of warfare producing radiation and including what are known as particle-beam weapons but also all forms of attack on civilian nuclear installations including power stations, laboratories and research centres, other installations concerned with the nuclear fuel cycle and all other installations containing large quantities of radio-active materials, even if such attacks are also strictly prohibited under article 56 of Additional Protocol I to the Geneva Conventions of 1949.

The position adopted by the former is untenable: it is not possible to clamour for the adoption of a convention intended to preserve mankind from the dangers of the use of radio-active materials otherwise than in the form of explosive nuclear devices, and at the same time to try to confine the prohibition to certain aspects of radiological warfare only, particularly in view of the ease with which peaceful nuclear facilities can be used to serve hostile purposes without substantial conversion. This much having been said, a compromise solution could rapidly be found if the two sides agreed to make reciprocal concessions: the non-aligned countries by not insisting on the maintenance of their suggestion on the prohibition of particle-beam weapons, and the others by agreeing to take the idea of radiological warfare into consideration.

The idea of radiological warfare is, in our view crucial, for we see no point in going on learnedly discussing whether or not it would be advisable to prohibit radiological weapons, which at present, everyone agrees, lie in the realm of fiction; what we ought rather to do is to tackle without further delay the problem of this terrifying new form of warfare.

In other words, what we ought to concern ourselves with in the first instance, and well ahead of the question of banning the use of radiological weapons, is the prohibition and prevention of radiological warfare.

My delegation wishes solemnly to declare that it intends henceforward to act and to assume its responsibilities in this spirit and with this goal in mind, in accordance with the statement of the Group of 21 of 17 June 1981, with the sole concern of ensuring the best possible protection for innocent civilian populations against radiological warfare.

(Mr. Arrassen, Morocco)

Before concluding, I should like very briefly to refer to the question of control and verification with regard to which the Working Group will certainly come up against some difficulties.

For the solution of any problems that may arise in relation to the objectives of the proposed treaty or its application, the agreed joint USSR-United States proposal provides in its article VIII that the parties will undertake to consult one another both directly and through a consultative committee of experts. The article further provides that any State party to the treaty which has reasons to believe that any other State party is acting in breach of obligations deriving from the proposed treaty on radiological weapons is free to lodge a complaint with the Security Council of the United Nations, which is equally free to decide whether or not to initiate an investigation into the matter.

Faithful to their practice of undertaking nothing in disarmament matters which could harm their Great Power interests, the United States and the USSR have proposed a totally emasculated verification and control body. The consultative committee of experts, according to the annex to the draft treaty, "shall undertake to make appropriate findings of fact" and "shall decide procedural questions relative to the organization of its work". However, the annex adds, "there shall be no voting on matters of substance" — nothing less. As for the provisions of the joint proposal concerning the procedure for complaints, they are completely inadequate as regards violations of the prohibition to be embodied in the future convention. In view of all this, is it possible for our Committee to adopt such paltry provisions? As far as the Moroccan delegation is concerned, the answer is no!

It is, all the same, astonishing that when so many instruments have been adopted in the field of disarmament it has still not been possible, in the matter of control and verification, to devise a basic formula applicable to any category of non-conventional weapons, while allowing, of course, for certain modifications of the formula to take account of the specific characteristics of particular situations.

It is still more distressing to observe that the Committee on Disarmament has taken no steps to co-ordinate the work of the two working groups on chemical weapons and on radiological weapons as regards this aspect common to both.

In conclusion, the Moroccan delegation wishes to stress that if the regulation now under way of the question of radiological weapons does not take into consideration the essential question of the protection of civilian nuclear installations against all forms of attack and sabotage, the result is likely to appear to an impatient and eager international public opinion as nothing but a giant hoax deliberately designed to distract the attention of the world's population from the most important of the disarmament problems, and the one on which its survival depends: the prohibition of nuclear weapons and nuclear disarmament.

The world would be justified in considering that setting up a Working Group on radiological weapons — potential weapons, whose role at the military level may be regarded at the present time as negligible — and deliberately leaving aside the question of the nuclear weapons which constitute the gravest threat to mankind and to the survival of our civilization, is in truth sacrificing the essential to the secondary, and at the same time putting off till later the solution of a question which the world at large and the international bodies nevertheless consider as being of the highest priority.

(Mr. Arrassen, Morocco)

But let us be realistic and patient, and recognize that if radiological disarmament were achieved, in keeping with the legitimate concerns worthy of the interest of all of us, i.e., of the entire international community, it would have at least two advantages: it would rid the Committee on Disarmament of one "chore" and it would introduce greater rigour and clarity into the classification of non-conventional weapons. We should then have a new classification into two categories: on the one hand, the trilogy of weapons of mass destruction the use and also the production of which are prohibited, i.e., chemical, biological and radiological weapons, and on the other hand the category of the unclassified, awaiting regulation, that of the weapons of the apocalypse, for which the term "weapons of mass destruction" is something of a euphemism — that is, nuclear weapons.

Mr. DARUSMAN (Indonesia): Mr. Chairman, at this stage of our work it is an irony that, while negotiations on the prohibition of weapons which do not exist as yet, namely, radiological weapons, are progressing, disarmament negotiations on the existing most destructive weapons which pose the greatest danger to mankind and civilization have not even been started in this body, even though they were considered as one of the priorities in the Final Document of the first special session of the General Assembly devoted to disarmament (para.45).

Faced with such a situation, one may well raise the question whether it is really useful to spend our precious time and energy, which could be saved for other purposes, to continue our exercise in dealing with something which does not even exist at present. Irrespective of the fact that radiological weapons do not yet actually exist, and even though disarmament negotiations on weapons which have existed for more than 35 years and which pose the threat of total annihilation to mankind have not even commenced, my delegation has always been prepared to participate in a constructive manner in the negotiations which have been conducted and still continue to take place in the Ad Hoc Working Group concerned. We have done so for the following reasons:

- (a) We were requested by the Final Document (para.76) and by subsequent General Assembly resolutions to conduct such negotiations in this Committee;
- (b) The weapons that would be the subject of prohibition may well be developed and manufactured in the future. It would be appropriate, therefore, to take preventive measures before such weapons, which may have a mass destruction capability, actually come into being;
- (c) We believe that the possible conclusion of an international instrument prohibiting such weapons would contribute to the strengthening of international peace and security;
- (d) We expect, not too unrealistically, I hope, that tangible progress in negotiations on radiological weapons would give impetus to the disarmament negotiations in other areas, and particularly to the commencement of the negotiations relating to a nuclear test ban and the cessation of the nuclear arms race and nuclear disarmament, which remain our main concern.

In my statement of 25 June, I touched very succinctly upon three important issues relating to the convention on the prohibition of radiological weapons that this Committee was requested by the General Assembly to draft. The first relates to the definition of the weapons to be banned. To avoid possible different interpretations, the definition of radiological weapons should be clear, formulated for the purpose of the convention concerned only and, as has been stated by a number

(Mr. Darusman, Indonesia)

of delegations, should not legitimize nuclear weapons. Among the suggestions and proposals that have been so far submitted, my delegation considers that the Yugoslav and Australian proposals, contained respectively in documents CD/RW/WP.15/Add.3 and CD/RW/WP.22 deserve careful consideration. The second question I referred to in my previous statement relates to the scope of the prohibition. As we are all aware, to cope with the increasing need of or in the efforts to diversify energy resources, the number of countries possessing nuclear reactors has increased, including those situated in non-nuclear-weapon and developing nations. Nuclear facilities for peaceful purposes should not, therefore, be the subject of an attack. As I said in my earlier statement, the Israeli air attack on the Tammuz civilian nuclear facilities renders all the more pertinent the inclusion of a provision for that purpose in the future radiological weapons convention. A recurrence of attacks on civilian nuclear facilities placed under IAEA safeguards systems cannot be tolerated and must be prevented. The third issue I mentioned in my earlier statement was the question of the peaceful uses of radio-active materials. A convention to thwart the possible emergence and use of radiological weapons should not affect the inalienable right of all States to develop research, production and use of radio-active materials for peaceful purposes. All States parties to the future convention should also undertake to enhance international co-operation for the further development of the application of such materials for peaceful purposes and the needs of the developing non-nuclear-weapon nations should be duly taken into consideration.

As in the case of other international instruments of the same nature, one other question of crucial importance is the system of verification of compliance, to ensure that the provisions of the future convention are observed in good faith by all the parties to the instrument and that the objectives of the convention are attained. The systems set out in other existing international instruments of the same character could naturally be taken into consideration for comparative purposes. This should not, however, necessarily lead to the adoption of the same system in the proposed instrument on radiological weapons. What is essential in the system to be worked out is that it should be workable and that all the parties to the future convention should have the same obligations to make the system work. In the case of alleged non-compliance with the instrument, the mechanism relating to the examination of the question and the search for its solution should ensure that the matter can be dealt with in a speedy manner, considering the serious consequences that may occur as a result of such a situation. In order that the system should be workable, all States parties to the future convention should have the same right to participate in the consideration of the matter.

These were the general lines of the views of my delegation on some aspects of the proposed convention prohibiting radiological weapons. My delegation will continue to participate constructively in the work of the Ad Hoc Working Group concerned. In conclusion, I should like to reiterate that, while we are willing to continue our participation in the efforts to advance the work of the Ad Hoc Working Group with a view to eventually arriving at an agreed text on the prohibition of radiological weapons, even though such weapons are still non-existent, as I stated earlier, the already existing weapons of mass destruction, nuclear weapons in particular, continue to be our primary preoccupation. My delegation deeply regrets to note that no possibility seems to exist for negotiations to be commenced on this subject in the remaining time of this summer session of our Committee.

The CHAIRMAN: In accordance with the decision taken by the Committee at its 104th plenary meeting, I now have special pleasure in giving the floor to the distinguished representative of Switzerland, Ambassador Pictet.

Mr. ISSRAELYAN (USSR)

I should like now to refer briefly to the subject of the prohibition of radiological weapons. In the light of the meetings held, during the current session of the Committee on Disarmament, by the Committee itself and by its Ad Hoc Working Group on Radiological Weapons, and also of the informal consultations on various aspects of a treaty on the prohibition of radiological weapons, I should like today to dwell briefly on the results of our work on this question and at the same time to glance ahead, as it were, and offer certain comments on a possible way of moving forward.

As the members of the Committee are aware, we are approaching the end of our 1981 session, the end, that is, of the third year of our consideration of this matter, without having managed to reach agreement on the key problems of the instrument being drafted -- definition, scope of the prohibition and peaceful co-operation.

We have devoted a large part of our work on this agenda item, at least during the summer part of the session, to discussing how to deal with the proposal -- a very important and, I would say, pertinent proposal -- for the inclusion in a radiological weapons treaty of provisions concerning the protection of civilian nuclear facilities from attack.

At the last meeting of the Ad Hoc Working Group on Radiological Weapons, the Soviet delegation stated its views on this question in detail. We indicated the way which, we believe, could lead the Committee out of the impasse both as regards

(Mr. Issraelyan, USSR)

further work on a radiological weapons treaty and as regards solving the problem of the protection of civilian nuclear facilities from attack. In other words it would be possible, in our view, to find a mutually acceptable solution to the problem of the protection of civilian nuclear facilities from attack if other delegations, too, would display the requisite flexibility and a spirit of compromise. Otherwise, we shall be unable to complete the work on a treaty on radiological weapons, and the question of protecting civilian nuclear facilities will likewise remain unresolved — not to mention the fact that the Committee will be demonstrating its inability to solve the problems even in this relatively uncomplicated matter.

Solutions can also, we think, be found for other basic questions. The Group has not so far, for example, discussed the Chairman's revised texts relating to the key problems of definition and peaceful uses, which he submitted to the Ad Hoc Working Group on Radiological Weapons last Friday. It seems to us, after a preliminary study of these new versions of the articles in the Chairman's texts, that they could form a good basis for the achievement of agreement, with due regard for the mutually acceptable settlement of other related questions.

All this shows that towards the end of this session we have seen a certain advance which permits us to hope that we may manage to find a way out of the present situation. In other words, we have some thing to consider as possible compromise solutions, but of course it will probably still be difficult for us to do this in what is left of the present session.

For these reasons we could, as other delegations have already done, support the proposal of the Chairman of the Ad Hoc Working Group on Radiological Weapons, — Comrade Komives, Ambassador of the Hungarian People's Republic — a proposal which he made during the informal consultations and then repeated at the Group's meeting on 31 July, that this Group should continue or resume its work in January 1982, i.e. somewhat earlier than the beginning of the next session of the Committee on Disarmament. We think that the additional time in January 1982 will give us an opportunity to work carefully and with due deliberation on the unresolved questions and, we hope, to complete the drafting of a treaty on radiological weapons before the beginning of the General Assembly's second special session devoted to disarmament.

A number of organizational questions related to the holding of meetings of the Group in January can be settled if we agree in principle on the approach proposed by the Chairman.

The Soviet delegation expresses the hope that all the other members of the Committee will be guided by the same constructive approach so as to create a sound basis for progress in the completion of the work on the prohibition of radiological weapons at our next meeting.

Mr. ELREEDY (Egypt)

On the other hand, the Ad Hoc Working Group on Radiological Weapons, whose work was characterized by a joint political will on the part of the two Superpowers to conclude a treaty prohibiting the use of radiological weapons, continued its endeavours this year during which it benefited from the wide experience of its distinguished Chairman, Ambassador Komives. Various States, including the group of non-aligned States to which my country belongs, participated seriously in the work of this Ad Hoc Working Group, although some of them felt that the conclusion of a treaty on radiological weapons was not among the top priority items on the disarmament agenda.

In spite of all the efforts made to narrow the gap between divergent views regarding the elements of the draft treaty, we believe that further endeavours will still be required to overcome the remaining differences, especially in connection with three fundamental issues, namely: definition, the scope of the prohibition, and the peaceful uses of radioactive materials. Taking into account the flexibility shown by the Group of 21 with respect to these issues, and their readiness to enter into a dialogue regarding the specific proposals that they submitted in their working paper, we believe that there is still hope of reaching agreement if the other groups show similar flexibility and understanding of the positions adopted by the developing countries with regard to the Swedish proposal concerning the prohibition of attacks on peaceful nuclear installations. The importance of such a prohibition was highlighted by recent events since an attack on such installations could lead to the leakage and dissemination of radioactive materials, thereby causing damage the scale and effects of which would not be less than those resulting from the use of radiological and nuclear weapons.

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Mr. AHMAD (Pakistan)

The contradiction between the desire of the major nuclear-weapon Powers and their allies to keep open their own nuclear options and their overriding concern to interdict the options of other States is very difficult to justify. While we could endorse many of the preoccupations about nuclear proliferation expressed by the Canadian delegation on 16 July 1981, I must confess that we share, to an even larger extent, the considerations outlined in the response to this statement by the distinguished representative of India. The inordinate preoccupation of certain States with the nuclear non-proliferation Treaty leads them into adopting positions that contradict fundamental international norms. The responses to the Israeli attack against the Tammuz nuclear research centre demonstrate this in practice.

It has been stated here and elsewhere that the Israeli attack is a cause for deep concern especially because Iraq is a party to the non-proliferation Treaty and accepts IAEA safeguards. Is it by any chance implied that if a State is not a party to this unequal Treaty, it should be considered fair game for such attacks in the cause of nuclear non-proliferation? It is ironic that the occasion of the Israeli attack has been used to underline the importance of securing wider adherence to the NPT. The fact that the action has demonstrated that adherence to this Treaty is obviously not sufficient to prevent an adversary from making subjective and unilateral judgements about another country's nuclear programme has been conveniently passed over. What has also been ignored is that the justification used for the aggression, however implausible, was in fact provided by the campaign of propaganda, launched and sustained in those very countries which are the most ardent advocates of the NPT,

(Mr. Ahmad, Pakistan)

about the purported danger of nuclear proliferation from the peaceful nuclear facilities of various developing countries including Iraq. Indeed, the Israeli military raid can be seen as the ultimate step in the escalating process of unacceptable pressures and punitive actions that have been employed by certain supplier States to impede the normal development of the peaceful nuclear programmes of a number of developing countries. We note, of course, that the Israeli aggression has been roundly condemned, although the aggressor has not paid any price for the aggression. No sanctions were imposed on it by the Security Council, and no reparations were demanded of it. On the contrary, further military supplies to Israel are to be promptly resumed. And what of the victim of the aggression? The State which supplied the destroyed facility, while it has rightly defended its exclusively peaceful nature, now reportedly expects additional obligations to be assumed by the aggrieved State as a condition for the reconstruction of the plant.

The Israeli attack against the Tammuz nuclear research centre reinforced the opinion of most members of this Committee that resolute measures must be taken to prohibit such attacks in the future. In the course of negotiations on the convention to ban radiological weapons, which have been guided with dedication and energy by Ambassador Komives of Hungary, it was pointed out that such attacks against nuclear facilities are the most realistic and perhaps the only means by which radiological warfare can be waged. The Working Group has clearly recognized the risk of mass destruction through attacks on nuclear facilities. The necessity for the elaboration of an international legal norm to prohibit such attacks is also not contested, although reservations have been expressed to the inclusion of such a provision in the radiological weapons convention. My delegation considers that the conclusion of this convention will be facilitated if a satisfactory solution can be found to the question of prohibiting attacks against nuclear facilities. Of course, there are other important differences regarding the scope of the convention and the peaceful uses of radioactive substances and nuclear energy which need to be resolved taking into account the position of the non-aligned and neutral States. We hope that the sponsors of the "joint elements" will exhibit greater flexibility in the resumed negotiations on this subject next year.

Mr. ONKELINX (Belgium)

If we want in the future to try to achieve really concrete results in the spheres of negotiation, our delegations ought not, I think, to allow themselves to be distracted by overly theoretical subjects the discussion of which, in our view, falls rather within the competence of such forums as the General Assembly and the United Nations Disarmament Commission.

A stricter adherence to the differentiation in the nature of the various United Nations bodies dealing with disarmament problems would, it seems to me, help prevent the occurrence in the Committee on Disarmament of discussions that are more appropriate to the international deliberative bodies.

However, to revert to the Committee's work at its present session, we may ask ourselves whether we have in fact fulfilled our mandate for negotiation when we have had an opportunity to do so. Unfortunately, it seems to us that real efforts to seek the necessary compromises have been relatively rare. All too frequently, delegations have simply repeated their positions and arguments ad nauseam, without once trying to provide an opening for a possible compromise. The best example is undoubtedly the work on the prohibition of radiological weapons, where each delegation has stuck to its position, although progress appeared possible in the negotiations. When we resume our work in 1982, we shall have to consider propositions other than those that divide us if we want to be able to conclude our work on this matter.

The CHAIRMAN: I put now before the Committee for adoption document CD/218 containing the report of the Ad Hoc Working Group on Radiological Weapons. In paragraph 23 of its report the Working Group agreed to recommend to the Committee that it consider whether the Group should resume its work on 18 January 1982. In connection with this report, may I also draw attention to paragraph 11 of the report of the Working Group and to the communication addressed to me by the Chairman of the Ad Hoc Working Group on Radiological Weapons dated 10 August 1981 by which I am informed that, subject to the Committee's agreement, it would be appreciated if I could invite the Director-General of the IAEA to provide the information described in that letter. Before we adopt the report, I wish to ask the Committee, firstly, whether there is any objection to the proposal that the Chairman invite the Director-General of the IAEA to provide the information concerning the draft convention which has been requested by the Chairman of the Working Group. Is there any objection?

Mr. VENKATESWARAN (India): Mr. Chairman, during the meeting of the Ad Hoc Working Group on Radiological Weapons, my delegation had already expressed some serious reservations concerning a reference to the Director-General of the IAEA. However, we did not stand in the way of Ambassador Kémives, Chairman of the Working Group, holding further consultations on this matter with members of the Committee.

In the meantime, we have reflected further on this, and have had an opportunity also to consult our authorities. We have come to the conclusion that, at a time when neither the definition of radiological weapons nor the scope of application of the future treaty has been settled, a reference to the Director-General of the IAEA would be premature. We therefore request that the proposal be dropped for the present.

Mr. AKRAM (Pakistan): Mr. Chairman, it will be noted that in paragraph 11 of document CD/218 it is stated that some delegations had expressed their reservations on the proposal to invite the Director-General of the IAEA to express some views on the question referred to in that paragraph. My delegation was one of those. We, like the Indian delegation, have had an opportunity to reflect further on this matter, and we do believe, Sir, that at the present time it is somewhat premature to address this invitation to the Director-General of the IAEA.

(Mr. Akram, Pakistan)

Inter alia, we have studied the scope of the Vienna Convention on the Physical Protection of Nuclear Material, and it would appear from that Convention that the activities which are of concern to the IAEA under that Convention relating to the protection of special fissionable material, under certain particular situations, are considerably narrower than the responsibilities that would arise in relation to the proposed action to prevent diversion of radioactive substances under the proposed convention on radiological weapons. We would think that the Ad Hoc Working Group on Radiological Weapons would need to examine, first of all, what precisely it wishes to do in terms of safeguard activities with relation to this action before it could invite any views either from the Director-General of the IAEA or from some other technical body about the methods for preventing the diversion that is referred to in the proposed RW convention.

For these reasons, Sir, we believe that this decision should be postponed to our session in 1982 when we would like to study this matter further and then seek very clear and precise guidance from the Director-General of the IAEA, or from any other agency, on this and any other relevant question.

Mr. WAGENMAKERS (Netherlands): At the time the Netherlands delegation welcomed the spirit of accommodation that led the Ad Hoc Working Group on Radiological Weapons to agree that it would benefit the work of the Group if, in conformity with rule 41 of the rules of procedure of the Committee on Disarmament, the Director-General of IAEA could be invited to provide information on the possible relationship between a draft convention prohibiting the development, production, stockpiling and use of RW on the one hand and the Vienna Convention on the Physical Protection of Nuclear Material as well as the Guidelines for Physical Protection of Nuclear Material on the other hand. We are grateful to you, Mr. Chairman, for the consultations you have initiated on this request.

The Netherlands delegation regrets that a request was made that this proposal be dropped.

It does not augur well that no consensus could be reached, Mr. Chairman, on your sending a letter to the Director-General of IAEA inviting him to provide the information indicated above. We are perturbed by this lack of consensus since it had been clearly understood that the information sought would be technical and in the nature of providing relevant facts to delegations. It would have no bearing on the process of negotiation. In this context let me quote from the Netherlands Statement in the plenary meeting of the Committee on Disarmament held on 14 July 1981:

"Our sole aim is to try to establish maximum congruence between the work done in various fora, in casu located in Geneva and Vienna respectively, where new instruments of international law are being created. It goes without saying that the possible future advice of the Director-General of IAEA will in no way prejudice the decision the Ad Hoc Working Group will finally take as regards the wording of the article IV of the consolidated text. The Ad Hoc Working Group works under the mandate given to it by the Committee on Disarmament, and this Committee is of course the only instance which de jure is empowered to draw up the radiological weapons convention. All the same, we deem it the duty of all States to see to it that agreements dealing with the handling of radio-active materials -- be these texts drawn up in Geneva or in Vienna -- form, between them, a formidable and coherent obstacle to unauthorized or illegal use of these dangerous materials".

(Mr. Wagenmakers, Netherlands)

In this light, the inability of the Committee on Disarmament to empower you to send the letter under reference does not augur well for our future negotiations. If facts are going to be barred from being provided, what is to come of the much vaunted "business-like" negotiations? It seems that six precious months for bringing factual information together will be lost.

We deplore this failure.

The CHAIRMAN: As there is no consensus, the proposal that the Chairman invite the Director-General of the IAEA is dropped. Secondly, I would like to know whether there is any objection to the Working Group resuming its work on 18 January 1982.

Mr. SUMMERHAYES (United Kingdom): Mr. Chairman, I have a comment rather than an objection. My delegation is one of those which took the view that we should postpone taking a decision about the date until we had considered the matter further at this meeting.

The essential point, as we see it, is that we have to establish whether we would be able to embark on the next round of discussions in January, with a genuine hope of making early progress. In the view of my delegation, there would not be any virtue in calling a special early meeting of the RW Group unless the prospect of substantive progress was well demonstrated; and so perhaps we all need to go back and think about our negotiating positions. If by the beginning of next year, it does become apparent that a meeting on 18 January would be fruitful and justified, then we would be very much in favour of it. But we suggest that it might be appropriate for the Chairman to consult, perhaps among a few delegations who are particularly concerned on the central points, to make certain that the way forward has been unblocked before we actually get down to that new round of meetings at an early date in January.

Mr. AKRAM (Pakistan): Mr. Chairman, my delegation unfortunately has some difficulties with endorsing the view that the Ad Hoc Working Group on Radiological Weapons should resume on 18 January next year. Our difficulties are both constitutional, and substantive in nature.

As far as the procedural questions are concerned, there is, as you know, Mr. Chairman, a distinction between the Ad Hoc Working Group on the Comprehensive Programme and the other three Working Groups which we have set up. The Working Group on the Comprehensive Programme has been established up to the time when it would submit the programme for adoption at the second special session devoted to disarmament, whereas the other three Working Groups are set up on an annual basis with annual mandates. Therefore, Sir, the problem of reconvening the Radiological Weapons Group before the fourth annual session of the Committee on Disarmament resumes would be one of constitutionality because that Working Group, as far as the procedural question is concerned, ceases to exist with the completion of the present session of the Committee; and we would have to re-establish that Group, by deciding anew on its mandate, appointing its Chairman, and so forth, when we resume our work in 1982. That is, Sir, the constitutional position.

With regard to the substance, we see that there are considerable difficulties within the Ad Hoc Working Group on Radiological Weapons, on the questions of definition, scope, peaceful uses, the question of the prohibition of attacks against nuclear facilities and other questions. What is required basically is not more time for negotiations, but substantive political decisions on the part of the negotiating

(Mr. Akram, Pakistan)

parties with a view to reaching an agreement. We hope, Sir, that these political decisions will be taken and that once they are taken, we think that the Ad Hoc Working Group could, within the time available after the resumption of the 1982 session, achieve agreement on an RW convention. Therefore, Sir, we believe that the work of the Working Group should be resumed when the Committee itself meets in 1982.

Mr. CARSALES (Argentina) (translated from Spanish): Mr. Chairman, with regard to this question my delegation just wishes to say that the decision whether the Ad Hoc Working Group on Radiological Weapons should meet on 18 January or not is a decision exclusively for this Committee. I am making this explanation because I do not know whether I correctly understood the remarks of the representative of the United Kingdom, who mentioned the possibility that there might be consultations between the Chairman and a group of delegations particularly concerned with this matter on the question whether or not this Group would meet on the date envisaged.

If that was the meaning of his remarks, my delegation would like to say that it cannot agree that decisions of this type should be taken between the Chairman and a certain group of delegations particularly concerned, because the interest of all the members of the Committee in this matter is the same and has the same value. Thus I repeat that any decision taken on this matter, either one way or the other, should be taken exclusively within this Committee.

The CHAIRMAN: In view of the statements which have been made, I conclude that there is at present no consensus on the question of convening the Working Group on Radiological Weapons on 18 January 1982. In the absence of objections, I shall take it that the Committee wishes to adopt the report of the Working Group on Radiological Weapons.

It was so decided.

Mr. WAGENMAKERS (Netherlands)

Turning now to paragraph 68 of the Committee's report dealing with the report of the Ad Hoc Working Group on Radiological Weapons (CD/218), in particular paragraph 11 of the latter report, I wish to put on record the regret of the Netherlands delegation that the Committee could not agree as yet to empower you, Mr. Chairman, to send a letter to the Director-General of IAEA inviting him to provide certain information which might be relevant for the elaboration of the future convention on radiological weapons.

Yesterday, at the Committee's 148th meeting, I stated the reasons why the Netherlands think that asking such information from the Director-General of IAEA would be useful. I shall not tax the endurance of the Committee on Disarmament at this late hour with a full exposé of our reasoning. We outlined our approach in our statement at the 137th plenary meeting of the Committee on Disarmament on 14 July 1981.

At this juncture I simply want to place on record our regret at the inability of the Committee on Disarmament to agree as yet on a modality for providing certain factual information which we deem to be of high potential relevance to the future convention on the prohibition, development, production, stockpiling and use of radiological weapons.

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Mr. EL REEDY (Egypt)

In addition, we believe that we have to pursue efforts to conclude a treaty prohibiting the production and use of radiological weapons. Although such a convention is not an urgent priority on the disarmament agenda, its conclusion, in our view, would be a contribution to our efforts to prevent the development of new types of weapons of mass destruction. My delegation considers it essential legally to prohibit attacks on peaceful nuclear installations. This question has acquired added significance as a result of the Israeli attack on the Iraqi peaceful nuclear reactor last summer. We hope that a solution can be found to this question and that the nuclear-weapon States and other States members of nuclear alliances will understand this just and reasonable demand of the non-nuclear-weapon States -- a legitimate demand which has been further substantiated by events.

Mr. SKALLI (Morocco)

As to radiological weapons, we continue to be convinced that the Working Group on this question will be in a position rapidly to reach an agreement on a convention prohibiting such weapons if every member of the Working Group displays goodwill. We are, however, of the opinion that such a convention would be meaningful and credible only if it prohibited attacks on civilian nuclear installations, for it is quite obvious that there is a genuine danger of mass destruction as a result of emissions of radioactive substances caused by such attacks.

The CHAIRMAN (translated from French): I thank the representative of Brazil for his statement. I now give the floor to His Excellency Ambassador Wegener, the representative of the Federal Republic of Germany.

Mr. WEGENER (Federal Republic of Germany): Mr. Chairman, as I am taking the floor for the first time under your chairmanship, allow me to express the pleasure of my delegation at seeing you occupying that high office. Personally, I feel privileged not only to work under a particularly competent and efficient Chairman but to be presided over by a friend of many years' standing.

There is a never-ending turnover of delegates around this table — such are the facts of diplomatic life. Among the several new distinguished members of this Committee, I should like to single out right across the table from me the new head of the Netherlands delegation, Ambassador Franz van Dongen, who I believe has joined us today for the first time. I should like to welcome him particularly as, coming from another very important multilateral forum where he has made a singular contribution, I am convinced that Ambassador van Dongen will equally distinguish himself at this Committee table.

The two plenary sessions of this week have been allocated to the subject of radiological weapons as the main item.

In my capacity as Chairman of the Ad Hoc Working Group on Radiological Weapons I therefore thought it wise to take the floor at an early point in the debate to report to the Committee on the progress achieved since the Group was re-established on 18 February, and a new Chairman was nominated on 23 February.

In preparing for his new assignment, the Chairman first of all had to take account of General Assembly resolution 36/97 B which urges the Committee on Disarmament "to continue negotiations with a view to an early conclusion of the elaboration of a treaty prohibiting the development, production, stockpiling and use of radiological weapons, in order that it may be submitted, if possible, to the General Assembly at its second special session devoted to disarmament, to be held in 1982". This language by the General Assembly obviously enjoins the Ad Hoc Working Group and its Chairman to deploy every possible effort to achieve progress during the current spring session.

At the same time, a stock-taking of the work accomplished by the Working Group last year revealed that in spite of the unceasing efforts of the preceding Chairman, Ambassador Kórnives of Hungary, negotiations had become substantially blocked. It appeared that a major stumbling block had been the conflicting views as to how to handle the amendment, originally moved by the Swedish delegation, also to include in the text of a radiological weapons convention a ban on attacks on nuclear facilities. This proposal, designed to amplify the original United States/USSR draft (CD/32), seemed to beset the entire negotiation process with considerable difficulties and caused arguments to go around in circles.

Under these circumstances, the Chairman considered it his main task to get negotiations procedurally unstuck at the earliest possible time.

(Mr. Wegener, Federal Republic of Germany)

With this objective in mind, and in lieu of holding formal meetings from the beginning of his task, he scheduled a series of extensive informal consultations with all delegations, in order to have their views on all relevant problems of procedure and substance in the working area of the radiological weapons Group.

A comprehensive report on these consultations is contained in the Chairman's statement of 9 March 1982 to the Working Group. This paper also contains his personal assessment of the state of negotiations, and proposals both for the procedure to be adopted for further negotiations and for the solution of a limited number of issues presently under controversy.

At the request of delegations; the Chairman's statement has been circulated as a working paper of the radiological weapons Working Group, and is now available for reference also to the members of the Committee. I do not intend to restate the contents of that statement, especially since it reflects, in large measure, the Chairman's personal views.

Rather, I should like to inform the Committee, with no little personal satisfaction, that the Working Group has now surmounted the initial procedural hurdles and has been able to agree on a procedural formula which allows it to carry on its negotiations with new vigour and unencumbered by the conflicting views which had partially blocked the negotiation process.

At its fourth meeting, on 15 March 1982, the Working Group, taking up and modifying the Chairman's procedural proposal, adopted the following decision:

"The Working Group agrees, as a procedural hypothesis and without prejudice to later decisions, to conduct separate meetings on the traditional radiological weapons subject matter, on the one hand, and on the question of the prohibition of attacks on nuclear facilities on the other, according to the following programme:

Traditional radiological weapons subject-matter -- 16, 19, 23 March;

Question of prohibition of attacks on nuclear facilities -- three meetings to be scheduled for late March and early April."

This procedural compromise in which all delegations have participated, displaying an unusual and welcome degree of flexibility, means that the two main problem areas under consideration are now separated for negotiation purposes, while all decisions on the number and form of final international legal instruments into which the negotiation results are to be incorporated are put off to a later moment. The Chairman has made clear to the Working Group that this procedural decision leaves the viewpoints of delegations on how to deal ultimately with the question of the prohibition of attacks on nuclear facilities perfectly intact. In consequence, a number of delegations have gone on record before the Group restating their basic philosophy on the underlying issues, but allowing it to be understood that for the time being their views do not impede a rapid and forward-looking negotiating process.

(Mr. Wegener, Federal Republic of Germany)

With this in mind, the Chairman has put before the Group a detailed working programme for the next few weeks, and concrete negotiations are to begin as of today's meeting of the Working Group. A number of working papers have already been put before delegates to assist in the process. It is the expectation of the Group's Chairman that within the next three formal meetings the principal remaining difficulties on the issues of definition of radiological weapons, scope of prohibition, peaceful uses, compliance and verification, and problems relating to the final clauses can be cleared up to a very large extent.

I should like to take advantage of this opportunity to thank all delegations for the fine co-operation they have displayed in the early difficult stages of the Group's work. I sense a general feeling that the path has now been cleared for a new vigorous effort to reach consensus in the field of the traditional radiological weapons subject-matter. There is reason for optimism that the Working Group may move beyond that, and use the second half of its remaining time during the session to reach a breakthrough on the related issues of banning attacks on nuclear installations, where substantial technical and legal groundwork has to be laid and much additional drafting may have to be accomplished.

The Chairman of the Ad Hoc Working Group has recommended that delegations make ample use of the plenary meetings allotted to the radiological weapons item to air their views on the remaining problems of substance, so that the forthcoming formal and informal meetings of the Working Group can be relatively free of statements of principle, allowing concentration on the actual drafting of texts. Reiterating this request, the Chairman takes the liberty of pointing to the second part of Working Paper 25 where he has tried to chart a course for the solution of some of the remaining controversial issues. The Chairman would equally be grateful if delegations could elaborate in more detail on their views as to the scope and modalities of the recommended ban on attacks on nuclear installations since it appeared in his consultations that this area would seem to require a substantial input of additional conceptual thinking.

Speaking, finally, for my own delegation, I would like to state, in a broad fashion, that on the subject of radiological weapons my delegation disposes of a considerable margin of flexibility on all the issues under consideration, and expects to make a good contribution to the promotion of consensus and a rapid pace of negotiation on all remaining problems.

Mr. ISSRAELYAN (USSR)

With respect to radiological weapons, we would like first of all to recall that the basic elements of a draft treaty on the prohibition of radiological weapons have been under discussion in the Committee for about three years already, which were preceded by two years of bilateral negotiations. Is that not, gentlemen, too much time to have spent on the elaboration of a document on the prohibition of a non-existent type of weapon? Of course, we do not insist that the draft should be ready by the beginning of the second special session on disarmament at any price, so to speak. But seems to us that the positions of the participants in the negotiations have so stalized that the time has come to find solutions.

We understand very well the interest shown by a number of delegations in the problem of the prevention of attacks on civilian nuclear facilities and we are not against the elaboration of appropriate international measures. If we can reach an understanding that such elaboration will be conducted outside the framework of the negotiations on radiological weapons, then we are prepared to seek appropriate forms of arrangement to assure the interested States that their proposals will be the subject of serious negotiations. At the same time we would like to declare again that this problem has nothing to do with radiological weapons. It is an independent problem and a very complicated one, including numerous technical, military, legal and humanitarian aspects. The proposal for the elaboration of provisions envisaging a commitment not to attack civilian nuclear facilities is regarded seriously by our delegation and that is why we believe that it merits serious discussion.

Mr. LJEWERE (Nigeria)

A great statesman once stated that the non-nuclear-weapon States "can only groan like the chorus of elders in a Greek tragedy". It is my belief that our "groans" are at last being heard. Confidence among States is an important ingredient for a less armed world, and perhaps we ought to seize the opportunity of every small "brick" in this Committee in the efforts to achieve nuclear disarmament. It is in this light that my delegation fervently hopes for a speedy conclusion of an effective and meaningful radiological weapons convention. The early establishment of the Ad Hoc Working Group, and the dynamic and intellectual approach of Ambassador Wegener of the Federal Republic of Germany are all laudable contributions towards finding lasting solutions to the outstanding problems relating to the scope and definition, the peaceful use clauses, and verification, to mention but a few. However, while the informal consultations undertaken by the Chairman served the desired purpose of identifying areas of convergence amongst delegations, as well as pinpointing outstanding obstacles to the conclusion of a treaty, my delegation still believes that this intellectual realism should not close the door to the further exploitation of political solutions to the complex problems. It is obvious from the present state of negotiations in the Working Group that, given the will to negotiate and to narrow down differences, considerable progress will be made in the formulation of texts.

For my delegation, the fact that the rate of scientific and technological achievements heightens the arms race and far outpaces progress in disarmament negotiations, makes the early conclusion of a radiological weapons convention desirable. The Swedish proposal on the prohibition of attacks on civilian nuclear facilities gives substance to the subject-matter of banning non-existent weapons. Nuclear installations for peaceful purposes should not be targets for attacks. A recurrence of incidents such as that seen last year in the Israeli air attacks on the Tammuz (Iraq) civilian installations should be prevented by the inclusion of a provision covering that subject in a future radiological weapons convention.

We also attach great importance to the peaceful uses clause in a future radiological weapons convention. Efforts to prohibit the possible emergence and the use of radiological weapons should not affect the inalienable rights of all States to develop and implement their programmes of research, and the use of radioactive materials for peaceful purposes. My delegation believes that the treaty should contain positive formulations recognizing these third-generation rights, and the promotion of international co-operation in the field of nuclear energy, taking into account the particular needs of the developing countries.

As we approach the second special session of the General Assembly devoted to disarmament, the problems to be solved remain complex and monumental. It is only through genuine efforts to close ranks, and also through the collective will of all delegations that it will be possible to make the desired progress in this non-priority but relevant disarmament measure.

Mr. NAVARRO (Venezuela)

This Committee has the task of elaborating a convention on radiological weapons. These so-called radiological weapons do not even exist and seem, furthermore, to be indefinable. Our delegation maintains that when the treaty is drawn up, radiological weapons should be defined in a positive way and that something that is not a radiological weapon should not be so termed, even for the purposes of the treaty: I am referring to radioactive material. Radioactive material is not a weapon. In fact, radioactive material could be considered a weapon but only as an a posteriori conclusion, that is, once the intention so to use it has become manifest, which would mean establishing a subjective and discretionary criterion that might prejudice the development of the peaceful uses of radioactive material and of nuclear energy in general.

At the start of the discussions in the Ad Hoc Working Group on Radiological Weapons we proposed that the focus of the treaty be changed to reflect what really represents a possible threat: the use of radioactive material for hostile purposes. Since that would cover any future radiological weapons, the problem of the definition of such weapons would have been solved, and the two objectives -- the prevention and the elimination of the threat -- would have been achieved. We have seen that it is not possible to achieve a consensus on this change of focus; we will not, therefore, insist on it, but we are still concerned about the central theme of our proposal. Accordingly, we are prepared to agree to a treaty which both prohibits the use of radioactive material for hostile purposes and prevents the appearance of radiological weapons. We are prepared to elaborate this proposal in order to dispel the doubts it engenders as regards nuclear weapons. But the success of such elaboration will depend on whether we manage to formulate the necessary positive definition of radiological weapons.

As regards the prohibition of attacks on nuclear plants and similar installations, no distinction should be made between civilian and military installations. The criterion which our delegation would propose in this connection is that the prohibition should refer to nuclear plants that are in operation.

Mr. SKALLI (Morocco)

I would now like to deal with the question of the prohibition of radiological weapons. We wish to express our satisfaction at the fact that the Ad Hoc Working Group on this question has been able to overcome the difficulties which arose last year concerning the way it should approach all the problems relating to the scope of the prohibition of such weapons. This result was made possible thanks to the flexibility and open-mindedness shown by the various delegations, determined as they were not to limit the sphere of prohibition to radiological weapons properly so-called but to include in it attacks on peaceful nuclear installations. I would like to stress the extremely positive role played by the distinguished representative of the Federal Republic of Germany, Ambassador Wegener, in his capacity as Chairman of the Working Group, especially in bringing about a reconciliation between opposing views. We would offer him here our sincere congratulations on the way in which he is guiding this work.

My delegation which, together with others, has agreed, as a possible procedure, to the separate examination of the two aspects of the convention on radiological weapons, wishes to reaffirm its position of principle that the Convention must contain provisions prohibiting attacks on peaceful nuclear installations. The Israeli attack of June 1981 on the peaceful nuclear power station of Tammuz in Iraq provided ample justification for our views. As regards the definition of radiological weapons, positive formulations must be sought which define these weapons directly and precisely.

We continue to believe that the rapid conclusion of a convention prohibiting radiological weapons would constitute a valuable contribution to the efforts of the Committee under item 5 of our agenda.

Mr. SADLER (Australia)

I now turn to the subject of radiological weapons, on which the Australian delegation has not spoken substantively in plenary for some time. That is because, in our view, more was to be gained by concentrating our efforts in the Working Group on resolving outstanding questions. For two reasons, we judge that the time has now come to speak out on some aspects of the Working Group's tasks. We note first that, building on the strong foundations laid last year by the distinguished Ambassador of Hungary, Mr. Komives, and under the driving leadership of this year's Chairman, the distinguished Ambassador of the Federal Republic of Germany, Mr. Wegener, there is a real chance of progress in the work on what is defined as the traditional subject-matter of negotiations on radiological weapons. Secondly, the Working Group has begun serious study of how to ban attacks on civilian nuclear installations.

On the text covering the traditional material, Australia last year sought to help define what constitutes a radiological weapon. This year, we have put forward in the Working Group four different definitions. In so doing, we hoped not so much to conceive a definition that would meet the stringent technical requirements that are needed, but to prompt creative thinking on the problem. In that respect, we believe we have succeeded. We earnestly hope that, once a technically sound definition has been achieved, political objections yet unvoiced will not impede its ultimate inclusion in a treaty. Many grey cells and much sweat have gone into the effort to devise a definition that can in no way be interpreted as legalizing the use of nuclear weapons. Discouragement and much disappointment would undoubtedly follow if doubts yet unexpressed on this way of proceeding were to negate it.

As to the other articles of the projected RM convention, we have been greatly encouraged by the workmanlike attitude of those taking part in the Working Group and firmly endorse the Chairman's view that we should try, before the second special session, to come as close as possible to an agreed treaty.

(Mr. Sadleir, Australia)

Frankly, my delegation has always seen a convention on radiological weapons as a marginal disarmament measure. Nonetheless, we have also regarded it as worth persisting in as a further step on the path to disarmament. Agreement, even near agreement, on the draft of a convention is, moreover, something which can only encourage us in our work and help ensure a successful special session. We need, in any event, quickly to despatch this particular monster so that we can attack with greater confidence the larger monsters that crowd our agenda.

As to the projected ban on attacks against civilian nuclear facilities, Australia still has under review how this might best be achieved. One thing, however, is clear: there is little to be gained from linking it in such a way to negotiations on the traditional material that neither is advanced. The banning of attacks on civilian nuclear installations will be, as even the first of our meetings has shown, a task of great complexity. It requires and deserves the full attention of a Working Group free from other preoccupations. It has, for example, been argued that so fierce are the consequences of the hostile dispersal of radioactive material from nuclear facilities that attacks on the whole range of installations involved in any way with such material should be prohibited. While this may sound like a good idea, it raises immense problems not only of verification, identification and marking of the facilities to be protected, but also of adequately delimiting perimeters and sanctuaries. Many countries are, moreover, so peppered with facilities which use or handle radioactive material for a wide variety of purposes, that an effort to ban attacks on all of them immediately runs up against insurmountable practical problems.

Thus, the Committee will need to look carefully at the problem of definition, especially at the lower, less dangerous, end of the spectrum, which includes such installations as spent fuel storage facilities, nuclear research establishments, factories working with irradiated material and radioactive material being transported between facilities. Australia, as a country with facilities at this lower end of the spectrum, is concerned to see a full exchange of views on all the options open to the Working Group in developing a definition of the kinds of facilities and installations to be protected by the projected ban. Accordingly, we would welcome any technical information and expertise that delegations can bring to the discussions. I do not want to finish this statement without stressing that my delegation brings an open mind to the matters encompassed by a ban on attacks against civilian nuclear installations and looks forward both to learning from and to co-operating with all delegations on this journey into relatively uncharted waters.

Mr. ERDEMBILEG (Mongolia)

Mongolia's position on the question of the prohibition of new types and new systems of weapons of mass destruction has been stated in this Committee on several occasions. We, like many others, continue to hold the view that the simplest and most reliable means of resolving this problem is the conclusion of a comprehensive agreement that would erect a firm barrier to the emergence of any new types of weapons of mass destruction and new systems of such weapons. At the same time, meeting the position of the western partners in the negotiations in the Committee half way, we do not preclude the possibility of concluding agreements on individual types of such weapons.

In this context, radiological weapons could already have been declared illegal. When the joint Soviet-United States proposal on the prohibition of radiological weapons was introduced in the Committee, many delegations expected, with fully justified hope, that, on the basis of this proposal, agreement would be reached in the Committee on Disarmament on this type of weapon of mass destruction in the near future.

But facts remain facts and it can only be regretted that the negotiations have moved in the direction of the complication of the problem. We consider the first requirement to be to reach agreement on the question of prohibiting radiological weapons themselves without linking it to other, unrelated questions.

Mr. DE SOUZA E SILVA (Brazil)

In the field of radiological weapons, a different situation reflects the same realities. Here, the two Superpowers, having agreed in happier times on a draft treaty to ban a kind of weapon the precise definition of which they themselves seen at pains to supply, have asked the Committee to sanction their agreement as fast as possible, so that this body can at least present the United Nations with one specific text. Some delegations, however, not convinced either of the timeliness or the usefulness of the initiative, sought to inject some substance in that draft. Their substantive proposals, which dealt mainly with the prohibition of attacks on nuclear facilities, with the link between radiological non-armorament and nuclear disarmament and with the effective promotion of the peaceful uses of radioactive material, all met with fierce objection from the proponents of the original draft treaty. A meaningful instrument on radiological weapons will remain a distant possibility as long as the Superpowers insist on dealing with this question according only to their own strategic perceptions.

Mr. WEGENER (FRG)

In conclusion, I should like to touch upon the question of radiological weapons. I should make it quite clear that my comments are offered from the viewpoint of my delegation and that I am not necessarily speaking as the Chairman of the Working Group on Radiological Weapons. That Group has worked intensively and has shown undisputed progress, especially in the earlier parts of this session. Stagnation and disenchantment with the subject were overcome and a procedural compromise made it possible for the Working Group to postpone the consideration of certain complex problems of legal form in order to achieve progress on substance. The convenient device of a temporary parallel negotiation on the two main items under consideration -- the so-called "traditional" radiological weapons question and the question of a possible ban on attacks on nuclear facilities -- has led to a series of fruitful and dense meetings. In the "traditional" radiological weapons field, the number of controversial issues has been substantially reduced and compromise formulations have had increasing appeal for delegations. Negotiations went on in a spirit of mutual understanding where all proposals were given careful and bona fide consideration by delegations. It is therefore simply not true, as one delegation recently proclaimed in plenary, that certain suggestions put forward by the Group of 21 have met with "fierce opposition" from the original proponents of a radiological weapons treaty. Rather, there appears to have been general willingness to accommodate the three notions so important for the Group of 21 -- a commitment to promote the peaceful uses of radioactive materials; a restatement of commitments in the general sphere of nuclear disarmament; and the inclusion of a ban on attacks on nuclear facilities -- in a manner which preserves the essential impetus of these notions. However, despite the seriousness of the work and the deadline set by the forthcoming special session of the General Assembly and General Assembly resolution 36/97 B, success has eluded us. In the final stages of the Working Group's activities, the spectre of stagnation again appeared and delegations seemed increasingly unwilling to move from established positions towards the necessary compromise. This is a grave disappointment and, more, a matter of considerable concern. It may very well raise the question of what negotiation in this Committee is all about. At some point -- after years of discussion and consideration -- the moment must come when all delegations appear ready to depart from initial positions and instructions and to align themselves on the median line of general compromise. It would be the view of my delegation that this time has come, at least for the question of "traditional" radiological weapons. One cannot interminably negotiate on a disarmament proposal of such inflated demands by some delegations which do not seem to take the possibilities of compromise into account. It is regrettable, if not ironic, that these are often the same delegations that so readily castigate certain other delegations in this room for the lack of "political will". If the Committee on Disarmament appears -- in this field as in so many others -- nearly empty-handed before the special session, these delegations would do well to do a little soul-searching of their own.

At least when the Working Group reconvenes later this summer, it would appear essential for some of the basic issues in the radiological weapons field to be decided on quickly. I see no reason why a suitable compromise solution to the question of linkage between the traditional radiological weapons question and the issue of a ban on attacks on nuclear facilities should not be found in the near future. A model which readily comes to mind would be a radiological weapons convention of general scope, as suggested by the original proponents, and an additional facultative protocol governing the ban on certain relevant nuclear facilities. Both instruments would be intrinsically linked and would come up for signature at the same time. However, there would be an option for States signatories to subscribe to the main convention in a first phase, while leaving accession to the facultative additional protocol open, at least during a period of reflection.

Mr. AHMAD (Pakistan)

We admire the courageous efforts made by the Chairman of the Working Group on Radiological Weapons, Ambassador Wegener of the Federal Republic of Germany, to evolve the text of a treaty on this subject. It has been clear from the outset, however, that an agreement on this issue must respond to the basic questions raised, in particular, by the non-aligned and neutral countries regarding, inter alia, the definition of radiological weapons and the commitment of the nuclear Powers to pursue nuclear disarmament and to promote the peaceful uses of nuclear energy. Above all, agreement on an RW convention should be accompanied by an agreement regarding the prohibition of attacks against nuclear facilities -- which is, in our view, the only feasible way in which radiation can be used, at present, for hostile purposes. The Pakistan delegation remains open about the precise manner in which this issue should be resolved, i.e. whether under the RW convention itself, in an attached protocol or through an entirely separate international instrument.

Very briefly, in response to the remarks made by the distinguished Ambassador of the Federal Republic of Germany on the subject, I would submit with great respect that soul-searching is required first and foremost by those delegations which take the view that the Committee should adopt a virtually meaningless convention on radiological weapons, but seek to open the option to attack nuclear facilities causing mass destruction that would be no different from the effect of the use of nuclear weapons. It is the view of my delegation and of several other members of the Group of 21 that the prohibition of attacks on nuclear facilities should be as comprehensive as possible. Since the basic objective is to prevent mass destruction, there can be no justification for differentiating between civilian and military facilities. Mass destruction would result from attacks on either kind of facility. However, mass destruction is not the only criterion relevant to this issue. My delegation sees an important objective of the proposed instrument as being to restore confidence among the developing countries regarding their nascent nuclear programmes. This confidence has been severely eroded in the wake of the Israeli attack on the Iraqi nuclear facilities last June. Therefore, the scope of the prohibition should include not only larger nuclear fuel cycle facilities, but also smaller research reactors and other facilities. To exclude the latter would constitute gross discrimination against the developing countries.

Pakistan has submitted a concrete proposal regarding the scope of the prohibition of attacks against nuclear facilities on the basis of the criteria and considerations I have mentioned. We hope that the important political issues involved in this matter will be discussed in the near future.

Mr. WEGENER (Chairman, Ad Hoc Working Group on Radiological Weapons):
Mr. Chairman, indeed I have the honour to introduce the Report which you just mentioned.

The Working Group had chosen to make use of its time for substantive negotiations as late into last week as possible. As a consequence, only one meeting was available for discussion and adoption of the report. This has placed a considerable burden upon the members of the secretariat, who had to put in extra hours to reproduce the report from a somewhat heterogeneous collection of oral and handwritten amendments designed to supplement the original draft. They have done an excellent job under these difficult circumstances, and I should like to thank them on behalf of the Working Group.

However, it was unavoidable in this situation that a small number of errors or ambiguities have crept into the printed text. With your permission, Mr. Chairman, I should therefore like to read out this limited number of amendments which have become necessary, none of which changes the general thrust and structure of the report, but which will help to clarify it. None of the amendments adds to the text a sentence or thought that was not already part of the Working Group's decision to adopt the report. I refer, then, to document CD/284, and in the English version, to document CD/284*. I quote from the English text, on page 2, in the penultimate line of paragraph 6 we should strike out the words at the end of the line, "radiation from the decay of". On page 3, in paragraph 16, in the seventh line, after the sentence ending with the words "from attack", kindly insert the following additional sentence: "Some delegations expressly reserved their position as to the competence of the Committee to deal with this matter". On page 5, in the last sentence of paragraph 27, there is a mere printing error: please replace the words "points of view" by "differences". And on the last page it has become necessary to clarify that some of the sentences written here are quotations from what delegations said. In paragraph 32, therefore, in the second sentence, the words "in their view" should be inserted. The sentence then read: "Since the basic objective was in their view, to prevent..." The following sentence should be prefaced with the words "they also believed that", so that the sentence then reads: "They also believed that mass destruction would result from attacks...", etc. In paragraph 34, in the second sentence, the words "in their view" should be inserted, so that the sentence then reads: "A partial ban could, in their view, legitimize...", etc. In paragraph 33, in the fourth line, the term "thermal effect" should, for reasons of mere technical correctness, be replaced by "thermal power".

As delegations will recognize, while taking note of the contents of the report, the record of the Working Group is far from brilliant. While a promising start was made in early March with a practicable procedural decision that did much to unblock a deadlock situation, the sense of urgency which General Assembly resolution 36/97 B had initially instilled into the Group and which raised hope that convincing progress could be made at least on the "traditional" radiological weapons subject-matter, rapidly vanished, and the Working Group is now still faced with some of the same problems that made its work difficult in the preceding year. The willingness of delegations to consider

(Mr. Wegener, Chairman, Ad Hoc Working
Group on Radiological Weapons)

compromise formulation and to join in a common effort to reach consensus results faded away, at least when the time came to draft this report. Instead of proudly going on record with the measure of progress achieved, delegations preferred to restate their earlier positions, in a clear attempt to keep their stance intact for the next round of negotiations. Some delegations even used the opportunity to phrase their demands with new vigour, although it must have been abundantly clear to them that their proposals harboured no promise of adoption by the Working Group. The Chairman, in various instances, attempted to put forward texts which in his view took a maximum number of positions into account, but he generally remained unsuccessful. When, in the closing stages of the session, he offered to submit an integral draft text of a future radiological weapons treaty, covering the "traditional" radiological weapons subject-matter, a draft which, in his perception, could have served as a suitable basis for a compromise on which all delegations could eventually agree, he was given to understand that such an initiative was unwelcome; he thus abstained from circulating the text.

The several parallel meetings on questions relating to the prohibition of attacks on nuclear facilities provided an opportunity for discussion in depth of some highly relevant issues. A number of delegations contributed to an elucidation of the technical problems involved, and it is fair to say that the Working Group as a whole gained considerable insights into the problems at hand. However, major divergencies as to the scope of possible prohibition appeared at an early point, and proved to be so considerable as to impede further progress even on the level of initial discussion.

While the Working Group's session has certainly contributed to providing a clearer perspective to all delegations on the issues and on certain options for solution, the field is still wide open. Once again, the Working Group, dealing with a subject matter of only limited significance for the global disarmament process, has been unable to live up fully to its responsibilities. That constitutes a serious challenge for the forthcoming summer session. It will still be my privilege to preside over the work at that time. When work is resumed, I will urge all delegations to renew their efforts to come to grips with the still unresolved problems, and I would already ask them now to clear their minds and to use the intermediate period for reflection about how some of the outstanding problems of principle can be tackled without undue loss of time.

While then, the spring session was disappointing in its results, I yet have to acknowledge that many delegations, and many colleagues personally, offered the Chairman an exceptionally fine co-operation and bore with him in the search for results and compromise. I should like to express my gratitude to them, just as I thank the secretariat and the interpreters for their fine work.

Should a mode be adopted according to which all the introductory statements by Working Groups' Chairmen were to be circulated, I would not want to be excluded. However, I would think that in my special case a rendering in the verbatim record would be sufficient.

Mr. DE LA GORGE (France)

The Ad Hoc Working Group on Radiological Weapons, directed with authority and competence by Ambassador Wegener, was not able to achieve the progress for which we had been hoping. The French delegation is unfortunately obliged to note that the warnings it voiced were well-founded. The difficulties which have hampered the negotiations in certain respects are the result of the attempts, of which we are all aware, to include in them matters unrelated to their immediate object. As I said at the outset of our session in my delegation's preliminary statement, these involve either prejudging the solution of other problems, such as the use of nuclear weapons and nuclear disarmament, or the solution of problems which fall within another field of international law, such as the prohibition of attacks against civilian nuclear installations. The French delegation does not deny the importance of these matters, but it believes it to be essential that the working groups should keep within the exact terms of their mandates. As a demonstration of goodwill, we did not oppose a consensus on the solution offered by the Chairman of the Working Group, which consisted in devoting a few meetings of this Group to a preliminary examination of the problems presented by the Swedish proposal on the prohibition of attacks against nuclear installations. But considering that this problem did not fall within the competence of the Committee, and does not, under the terms of its mandate, fall within the competence of the Working Group, the French delegation refrained from participating in those meetings. It regrets the fact that it proved impossible, in the circumstances, to resolve the outstanding difficulties as regards the terms of the convention itself, and that we were unable to reach a conclusion under this item on a matter which unquestionably falls within the competence of the Committee on Disarmament.

Mr. WEGENER (Federal Republic of Germany): Following the precedent of the Chemical Weapons Working Group, at the request of some delegations, the Ad Hoc Working Group on Radiological Weapons also held a short, additional meeting today to reconsider some parts of the report and a certain number of technical errors were corrected and some amendments introduced. With your permission I would like to read out the changes to be made to the printed document we have before us, CD/284, in the English version -- the one with an asterisk.

Yesterday, on introducing the report, I read out a certain number of amendments, but I think it would be clearer to delegates if I were now to read out all the amendments together so that delegates can introduce them into their documents and check on the earlier changes. The title should be amended to read, "Special report to the Committee on Disarmament ...", etc. In paragraph 4, second line, after "Working Group", please insert the words "under the Chairmanship of Ambassador Dr. Imre Komives (Hungary)", and then the text continues as before. On page 2, in the penultimate line of paragraph 6, the words "radiation from the decay of" should be deleted. On page 3, in paragraph 16, in the eighth line, after the words "from attack", a new sentence is to be inserted, reading: "Some delegations expressly reserved their position as to the competence of the Committee to deal with this matter." In the footnote on the same page, after the fifth word, the words "for the purposes of this report" should be inserted. There are no changes on page 4. On page 5, the word at the end of the first line of paragraph 26 should be in the plural, and read "provisions".

Paragraph 28 has been substantially amended, and the text now reads: "The view was widely held that the treaty should enter into force upon the deposit of the instruments of ratification by a lower number than the 25 hitherto discussed, and the number of 15 was advanced in this context, while some delegations reaffirmed their position that the treaty should enter into force upon its ratification by 25 Governments, including the nuclear-weapon States."

In paragraph 27, still on page 5, the last three words of the penultimate line, "points of view", should be replaced by "differences". In paragraph 30, in the second line, before the last word, "centered", the word "and" should be inserted, and in paragraph 31, five lines from the bottom, after "It was pointed out that", the words "attacks on such facilities could" should be inserted.

Mr. WEGENER (FRG)

In paragraph 32, a number of small inserts was agreed upon to make the language clearer, and I think it would be wise for me, with your permission, Mr. Chairman, to read the entire paragraph: "Some delegations proposed that the prohibition of attacks on nuclear facilities should be as comprehensive as possible. Since the basic objective was, in their view, to prevent mass destruction, there could be no justification to differentiate between civilian and military facilities. They also believed that mass destruction would result from attacks on either kind of facilities. However, in their view mass destruction was not the only criterion relevant to this issue. They argued that an important objective of the proposed instrument was to restore confidence among the countries regarding their peaceful nuclear programmes. This confidence had, in their opinion, been severely eroded in the wake of the Israeli attack on the peaceful nuclear facilities of a developing country. Therefore, they argued that the scope of the prohibition should include not only the larger nuclear fuel cycle facilities but also the smaller research reactors and other facilities. To exclude the latter, in their view, would constitute gross discrimination against the developing countries." The last sentence of the paragraph stays as printed.

In paragraph 33, in the fourth line, the word "effect" is to be replaced by "power". Three lines further on, in the sentence beginning, "In this regard, it was particularly emphasized", the words "by these delegations" should be inserted. Equally, in paragraph 34, the second sentence has some new language: after "A partial ban could", the words "in their view" should be inserted.

In paragraph 35 the following sentence was added at the end of the present text: "The delegation whose working paper had been quoted in the preceding paragraph drew attention to the fact that the paper in this context also contains the following statement: 'The political difficulties of protecting military facilities in an international instrument are obvious, and such facilities therefore seem to have to be excluded from a convention'." Whereupon, paragraph 36 also had to be amended, and it now reads: "It was, however, stated by some delegations that such political difficulties as may be involved were not sufficient reason for a partial prohibition. In their view such an approach would leave open the possibility of legitimizing mass destruction in the conduct of warfare".

Finally, the Working Group decided that the example of the other working groups should be followed and that a list of all documents relating to the work of the Working Group should be added. This list is at present being established by the secretariat on the basis of the available documents.

Mr. Chairman, I would like to draw your attention to a certain overlap that could result from the addition to paragraph 4 and paragraphs 11 and 12 with the new paragraph to be included in the Committee's main report, printed in Working Paper No. 58/Rev.2/Corr.2, but I think it is a matter for the secretariat to prevent possible overlaps, as the Group has expressed its understanding that overlaps of this kind should, if possible, be avoided.

So far I have spoken as the Chairman of the Working Group. I would like for a brief moment to take up a matter related to my function as a Chairman, and this is a brief statement of which I have informed you in advance, Mr. Chairman.

Last night, at the informal meeting that was held under your chairmanship, Mr. Chairman, the delegate of the Soviet Union made the following statement, and I quote excerpts from the English translation:

Mr. Wegener (FRG)

"... There were cases when, in spite of the insistent request addressed to the Chairman of one of the groups not to distort situations in the Group, such a distortion did occur ..." and further on, I quote:

"... if, in the report, there is an incorrect presentation of the situation in the Working Group, and nevertheless, that situation was adopted by methods which were somewhat less than democratic ...".

These are serious accusations. The Chairman of one of the working groups is accused before the members of the Committee of deliberate distortion of his Working Group's report, and of undemocratic behaviour in the exercise of his functions. To my knowledge, personal accusations of this gravity have so far never been levelled against any other delegate in this Committee. Should they now become part of our working modes, I would foresee very unfortunate consequences. I do not think, therefore, that the Soviet delegate's utterances should stand uncorrected.

Many delegations have informed me that in their understanding the accusations were clearly directed towards me. This needs clarification. I should like, therefore, to request, through you, Mr. Chairman, an adequate clarification from the Soviet delegate. Should it turn out that I was in fact the Working Group Chairman referred to, I would expect his apology on the record of this meeting.

Mr. ONKELINX (Belgium)

Progress has undeniably been achieved on what we now call "traditional" radiological weapons questions. The draft treaty in this connection submitted by the Chairman of the Working Group represents, in our view, a compromise that should offer a broadly acceptable basis for the completion of the negotiations on this subject.

The question of the prohibition of deliberate attacks on nuclear installations gave rise to some particularly interesting exchanges of views. However they showed how complex the subject is. They also revealed the existence of a number of widely varying negotiating options. It is thus clear that these exchanges formed part of an as yet very preliminary stage of the negotiating process.

In view of these facts, my delegation has some doubts about the advisability of a symmetrical approach to these two issues. We ought perhaps, therefore, to consider the possibility of bringing the negotiations on the first of these issues to a rapid conclusion and agreeing to continue negotiations on the second, which is not strictly a matter of prohibiting a weapon but rather a question of the regulation of the conduct of hostilities. If necessary, we might envisage the conclusion of a protocol to be annexed to the so-called "traditional" treaty, as my colleague from the Federal Republic of Germany has suggested.

Mr. VEJVODA (Czechoslovakia)

With respect to the question of the prohibition of radiological weapons, the socialist countries note with regret that further progress has not been achieved in this matter.

While recognizing the importance of the prohibition of attacks on civilian nuclear facilities, the socialist countries are of the opinion that the deliberations on this subject which have taken place up to now and the complexity of the issues involved demonstrate that this question cannot be solved within the framework of a radiological weapons treaty.

Mr. SUMMERHAYES (UK)

In particular, the work on radiological weapons has been disappointing to my delegation. We had real hopes that substantial progress would be made towards the drafting of a treaty banning radiological weapons under Ambassador Wegener's able and energetic chairmanship. In the discussion of draft articles for the treaty, my delegation was ready to compromise on many key points. We considered that the draft text prepared by the Chairman, while not acceptable in its entirety, represented a real advance on earlier texts and formed a suitable basis for further work. We were sorry, therefore, that it did not receive more general endorsement.

My delegation has previously expressed doubts whether the prevention of attacks on civil nuclear facilities could be contained within the text of a radiological weapons treaty. The discussions on this topic indeed demonstrated the complexity of the problem and thus tended to confirm us in our belief. We considered, frankly, that the suggestions put forward by some delegations were rather far removed from the basic purposes of the treaty. We can see no prospect of agreement being reached on this topic, in this or in any other form, unless there is a greater readiness to compromise in the future.

Mr. SARAN (India)

My delegation would also like to make a statement with respect to the report of the Ad Hoc Working Group on Radiological Weapons. It is the position of my delegation that the distinction drawn in this report between the so-called traditional and non-traditional subject-matter of negotiation in the Ad Hoc Working Group is an artificial one, and detracts from the very clear-cut and precise mandate of this Group. The subject-matter of our negotiations is nothing more and nothing less than a draft convention on the prohibition of the development, production, stockpiling and use of radiological weapons.

To conclude, I would like to express to you, Mr. Chairman, the warm congratulations of my delegation on the successful conclusion of the first half of the Committee's current session. It is a tribute to your wisdom and unfailing patience and courtesy that we have been able to chart our ship safely into harbour, albeit a day after our target.

Mr. WEGENER (FRG)

As the Chairman of the Ad Hoc Working Group on Radiological Weapons I am fully aware of the difficulties that lie in the way of a successful resumption and conclusion of negotiations in that Group. At this juncture, it appears important that all delegations should gain a very clear view of the options that offer themselves to negotiators. I have written to all heads of delegations in that sense, and would hope shortly to embark on some informal consultations on the basis of reactions to that letter, before new formal meetings of the Working Group, if any, are called.

(Mr. Sadleir, Australia)

Thirdly, on radiological weapons we have reached a stalemate. My delegation considers that the so-called "traditional" track could still usefully be pursued to its conclusion, and that the other track should be developed as well, perhaps on law-of-war lines. We do not have particular ambitions or expectations in this area though we believe a convention or conventions on both aspects are achievable. We have tended to favour a radiological weapons convention more as useful practice for the Committee on Disarmament -- to demonstrate that it can produce something if it really tries.

(Mr. Fields, United States)

A great deal of effort has been invested in, and progress made toward the conclusion of a treaty banning radiological weapons. In fact, this measure is nearer completion than any other before this body. At our last session, the able Chairman of the radiological weapons Working Group devised a method of work which seemed to my delegation to offer hope for the conclusion of a radiological weapons treaty. My delegation has been among those which have questioned the necessity of entering into negotiations on the protection of nuclear facilities -- and we have been critical of delegations which have blocked our progress on the conclusion of a radiological weapons treaty pending the resolution of the nuclear facilities issue.

The time has come to assess this situation with more realism. We believe that the conclusion of a treaty prohibiting radiological weapons is in our interest, and in the broader interest of mankind. At the same time, we fully understand the concern of those who have advocated negotiations on the further protection of nuclear facilities. We, therefore, have come to this session prepared to participate vigorously and constructively in discussions on this issue. We remain unconvinced of the linkage between radiological weapons and the nuclear facilities issue. But we are prepared to engage ourselves seriously on the merits of the issues, and will not stand in the way of any reasonable procedure which facilitates substantial progress.

Mr. AHMAD (Pakistan)

As in the case of "negative security assurances", it is obvious that the difficulties involved in the negotiations relating to the radiological weapons convention are fundamental in nature. Unless the scope of the proposed radiological weapons convention is substantially broadened, it will be a meaningless instrument designed to prohibit a non-existent and unlikely weapon. Therefore, negotiations on the item should be left in abeyance at least until next year. Nevertheless, as we have stated on several occasions, the question of the prohibition of attacks against nuclear facilities is a matter of immediate concern and worthy of independent treatment. My delegation reserves the right to raise the matter in an appropriate context.

CD/PV.178

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Mr. WEGENER (Federal Republic of Germany): Mr. Chairman, I would like to make a brief statement in my capacity as the current Chairman of the Ad Hoc Working Group on Radiological Weapons. As you are aware, at the beginning of our session I wrote to all heads of delegations asking their guidance on how to proceed on the subject-matter. Since that time I have received quite a few replies, many of them comprehensive and complete, which is heartening; I feel generally encouraged by that response. Many delegations have not yet replied, however, and I have taken the floor to urge them to forward their replies to me, perhaps within the next week. I intend to start a process of informal consultations with delegations on the basis of the replies received as of 20 August.

CD/PV.180

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Mr. SOLA VILA (Cuba)

As regards the question of the prohibition of radiological weapons, it would appear that the Working Group set up on that item is for the moment at an impasse because of differences of views on some important questions.

We have noted with satisfaction that the Chairman of the Working Group, Ambassador Wegener of the Federal Republic of Germany, has started consultations with all delegations in order to find an acceptable solution which will enable us to complete our work in this field successfully. In my delegation's opinion, the present situation should not prevent the reaching of an agreement on the so-called "traditional" aspect of radiological weapons. One solution might be for the convention on radiological weapons to provide explicitly for the initiation of urgent negotiations on the prohibition of attacks on nuclear installations for peaceful purposes. That would be well received by the international community and would open up new possibilities for this Committee's work.

(Mr. Wegener, Federal Republic of Germany)

In conclusion, may I make a brief statement in my capacity as the current Chairman of the Ad Hoc Working Group on Radiological Weapons. In response to the letter circulated at the beginning of our session on 3 August, I have received full replies from 13 delegations, and one reply from the spokesman of a regional group, purporting to speak for its eight members. That makes replies from about half the members of the Committee. I am particularly grateful to those who have responded. In the next few days I would be pleased to be available to those who prefer oral communications and to those who would like to elaborate on their written replies. I would ask those delegations to contact me at the earliest possible point. A formal meeting of the Working Group on Radiological Weapons will be held in the afternoon of 2 September. I intend during that session to report on the views expressed to me and to make suggestions for the further course of work.

Mr. OKAWA (Japan): Mr. Chairman, it is more than a pleasure, indeed it is an honour for me, to be able to present to you our respects and congratulations on your assumption of the Chair of this Committee for the month of September and until the beginning of next year's session. May I also express my delegation's gratitude to your predecessor, Ambassador Maina, for the smooth and efficient way in which he and the members of the Kenyan delegation guided us during the month of August. While much regretting the departure of Ambassador Maina, I would wish to add my best wishes for his future career after he returns to Nairobi.

With your indulgence, I now wish to make a statement under item 5 of our agenda, namely, "New types of weapons of mass destruction and new systems of such weapons; radiological weapons". Under our work programme, this item is to be discussed next week, but since the radiological weapons Working Group is meeting this afternoon, I wish to address the subject before this afternoon's meeting.

Japan is a small country, slightly smaller than the State of California in the United States. On this small expanse of land, Japan has at the moment 24 nuclear reactors, six nuclear fuel processing facilities and one facility for the reprocessing of spent fuel. It will, thus, be easily understood that the guaranteeing of the safety and security of these nuclear facilities for peaceful purposes is a matter of great concern to our country. We are consequently of the view that the prohibition of attacks against such facilities by means of some sort of international agreement would be of considerable significance in this respect. We are sure that this view is shared by the many countries which have such nuclear facilities on their territories.

It was against this background that the Prime Minister of Japan stated at the second special session of the General Assembly devoted to disarmament on 9 June of this year:

"It is a matter of great concern for countries of the world to be relieved from anxieties in the peaceful uses of nuclear energy. It is important, in particular, to ensure and guarantee the security of nuclear facilities for peaceful purposes, and Japan hopes that international efforts toward this end will be successful. My country, for its part, wishes to contribute positively to these efforts."

It was against the same background that my Government appreciated the initiative taken by Sweden in the context of a possible radiological weapons treaty. Japan recognizes the importance of achieving such a treaty and also the importance of prohibiting attacks against civilian nuclear facilities, and my delegation has been carefully following the deliberations on these two questions in this Committee.

In this connection, may I take this opportunity to express my delegation's appreciation to the two successive chairmen of the Ad Hoc Working Group on Radiological Weapons, Ambassador Kőmives of Hungary who struggled so hard for two years to accommodate the various views and advance the work on a radiological weapons treaty, and Ambassador Wegener of the Federal Republic of Germany for the zeal and skill with which he has been trying to find a compromise solution to the difficulties that have been encountered. In the letter he addressed to the members of this Committee at the beginning of this summer session, Ambassador Wegener suggested that we look for linkage mechanisms between a radiological weapons treaty on the traditional model and the separate regulation of the intimately related subject-matter concerning nuclear facilities.

(Mr. Okawa, Japan)

Apart from our inherent interest in seeing some sort of international agreement worked out to prohibit attacks against nuclear facilities for peaceful purposes, it is also by way of responding to Ambassador Wegener's appeal, if I may use that word, that my delegation has been instructed to present a working paper in which we propose a draft protocol on the prohibition of attacks against nuclear facilities in the form of an optional protocol to the eventual treaty on radiological weapons.

The working paper can be found in document CD/323, which I believe my distinguished colleagues have before them. There is a slight typographical error in the document and I would like to take this opportunity to point that out. In paragraph 9 on page 3 of document CD/323 it says that "Japan has no intention to exclude the possibility of attacks against nuclear facilities" and that is of course completely wrong. This should read, "Japan has no intention to exclude the possibility of dealing with the question of the prohibition of attacks against nuclear facilities in an independent and separate treaty." I would request the secretariat to be good enough to issue a corrigendum in that respect.

Let me now try to explain in a few words why we have chosen the form of an optional protocol. We have seen the difficulty that has arisen around the proposal to include a prohibition clause in the radiological weapons treaty itself. We recognize that the two matters are closely related, and that in fact they have the common purpose of keeping to the minimum the damage that could be caused by contamination as a result of the dissemination of radio-active material. However, the one would seek to prohibit a weapon, the other an act -- the act of attacking a nuclear facility.

We therefore sought to find a way of negotiating an international agreement on the prohibition of attacks against nuclear facilities while maintaining the relationship between such an agreement and the radiological weapons treaty. We felt that the solution was to deal with the issue of prohibition of attacks in a separate instrument, and not in the radiological weapons treaty itself, while at the same time giving parties to the treaty the option to become parties to the protocol, within the framework of the treaty, if they so wished.

We hope that the tabling of this working paper will be of some help in disengaging ourselves from the present impasse, and will thus contribute to accelerating the radiological weapons negotiations with a view to their early conclusion. At the same time, we hope that our proposal will help to get us launched into a constructive discussion on how to deal with our concern regarding attacks on nuclear facilities for peaceful purposes.

Finally, may I point out that the outline of the draft protocol annexed to our working paper is nothing more than a skeleton and that the many technical and legal points that have not even been addressed in our paper can best be taken up in the course of actual negotiations.

The CHAIRMAN (translated from Spanish): I declare open the 185th plenary meeting of the Committee on Disarmament. The first speaker on my list is the distinguished representative of Hungary, Ambassador Komives, to whom I now give the floor.

Mr. KOMIVES (Hungary): Mr. Chairman, our Committee starts today the consideration of item 5 of its agenda entitled, "New types of weapons of mass destruction and new systems of such weapons; radiological weapons". In accordance with a decision adopted at the 171st meeting, in April, the Committee will also hold two informal meetings today and tomorrow with the participation of experts. The purpose of the informal meetings is to examine proposals and suggestions pertaining to the first part of the agenda item. Let me express the hope that both the formal meetings of the Committee and also the informal meetings will contribute to a better understanding of this important and timely issue, and will also pave the way for concrete actions long overdue.

The Hungarian delegation has always paid particular attention to the subject of the prohibition of new types of weapons of mass destruction and new systems of such weapons, ever since it was taken up by the United Nations General Assembly in 1975, and by the Conference of the Committee on Disarmament the following year. That attention has been manifested also by the submission of working papers — the first in 1978 on the question of infrasound weapons (CCD/575); and the last one during the first part of this session, in document CD/261. Our delegation was the one that initiated last year and again this year the holding of informal meetings on this very important and urgent problem.

As I stated on 18 March, "the steady devotion of my delegation is motivated, among other things, by the growing awareness among world public opinion that the ongoing scientific and technological revolution and the accelerating pace of progress in various fields of science harbour not only beneficial possibilities for solving the basic problems of mankind, but also — if misused — a grave danger of triggering a qualitatively new round in the arms race."

Military-technical magazines and other publications have for about a decade been carrying reports on new methods of mass annihilation, which might be employed to create some hitherto unheard-of weapons. Those reports are confirmed by the statements of scientists expressing their apprehensions about certain development programmes carried out in the interest of the military.

Without going into very specific details, let me touch upon certain general characteristics of the types of weapons at present under consideration. One of the distinctive features of the new non-nuclear types of weapons of mass destruction is their highly discriminate effect. For example, such weapons are capable of disturbing certain functions of the human body, doing harm to people of a certain ethnic origin, or bringing about changes in certain types of crops or animals (thus sharply reducing agricultural production, creating severe shortages and even famine). Such weapons are highly controllable in terms of effect or manner of action. They can, for example, influence human psychic conditions or reproduction capabilities. Because of their highly discriminate action, the use of such weapons could go unnoticed for a long time. This can lead to a transformation in the nature of combat action, and may open up possibilities for a hidden warfare.

Certain new types of weapons of mass destruction exist only in principle, but others have already come off the drawing board, and the real danger of the emergence of such weapons cannot be denied any longer. The latest event substantiating profound fears in large popular masses is the infamous decision on the production and

(Mr. Komives, Hungary).

deployment of nuclear neutron weapons. Although a number of delegations would claim that it is simply just another nuclear weapon, there is already a great amount of scientifically supported evidence, compiled in scientific, military and other publications -- and also made known extensively in this Committee -- which proves beyond doubt that it is not only an updated version of the nuclear weapon, but also a new kind of weapon of mass destruction, both in technological terms and in political and military implications as well. It is especially so inasmuch as it increases the danger of an all-out nuclear war by introducing an "easy-to-use" nuclear weapon. That is why the delegations of the socialist countries proposed the prohibition of nuclear neutron weapons, and submitted a draft convention to that effect as early as 1979.

The prohibition of new types of weapons of mass destruction and new systems of such weapons already has a long history in disarmament efforts. In 1948 the Commission for Conventional Armaments adopted a resolution which states, among other things, that "weapons of mass destruction should be defined as including atomic explosive weapons, radioactive material weapons, lethal chemical and biological weapons, and any weapons developed in the future with characteristics comparable in destructive effect to those of the atomic bomb or other weapons mentioned above".

After two decades the question was raised again at the United Nations General Assembly. On the initiative of Malta, two resolutions were adopted in 1969 concerning the possible emergence of new weapons of mass destruction: resolutions 2602 C and D (XXIV) respectively called on the CCD to consider certain implications of radiological warfare and laser technology. The Committee, however, did not find that possibility to be of immediate concern.

New achievements of science and technology and the increased danger of their military utilization prompted the Soviet Union in 1975, during the thirtieth session of the General Assembly, to propose the conclusion of an international agreement on the prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons. The Soviet delegation also submitted a draft international agreement. In resolution 3479 (XXX) the General Assembly asked the CCD to deal with the matter.

Since then, the General Assembly has been dealing with this question and has adopted a number of resolutions. Since 1976 our Committee, too, has been seized of the problem of the prohibition of new weapons of mass destruction. The delegations of the socialist countries have made great efforts to facilitate the elaboration of a treaty on the issue. In 1976 the Soviet delegation submitted document CCD/514 entitled, "On definitions of new types of weapons of mass destruction and new systems of such weapons." In order to meet considerations expressed by various Western delegations, the Soviet Union tabled in 1977 a revised version of its draft treaty (CCD/511/Rev.1). The revised draft provides that, parallel with a general agreement, special agreements could be concluded on the prohibition of specific weapons. It provides also that a list of types and systems of weapons to be prohibited would be annexed to the agreement and could be supplemented if new areas of development were to emerge.

In 1978 the first special session of the General Assembly devoted to disarmament paid marked attention to the issue. The Final Document contains no less than three paragraphs in that context. Paragraph 77, for instance, reads as follows:

(Mr. Komives, Hungary)

"In order to help prevent a qualitative arms race and so that scientific and technological achievements may ultimately be used solely for peaceful purposes, effective measures should be taken to avoid the danger and prevent the emergence of new types of weapons of mass destruction based on new scientific principles and achievements. Efforts should be appropriately pursued aiming at the prohibition of such new types and new systems of weapons of mass destruction. Specific agreements could be concluded on particular types of new weapons of mass destruction which may be identified. The question should be kept under continuing review."

The exchanges of views that took place between 1976 and 1982 showed a difference of opinion concerning the effective ways of preventing the emergence of new types of weapons of mass destruction. My delegation, however, continues to be convinced that a comprehensive approach is the most effective way to reach our aim. This implies the conclusion of a comprehensive agreement banning in a general manner the development and manufacture of new types of weapons of mass destruction, accompanied by a list of specific types of weapons to be prohibited. Such an arrangement could provide for the conclusion of separate agreements on specific new types of weapons of mass destruction.

By resolution 36/89, adopted last year, the General Assembly broadened the general approach and enlarged our possibilities as well as our duties in this context when it requested the Committee on Disarmament to "intensify negotiations, with the assistance of qualified governmental experts, with a view to preparing a draft comprehensive agreement on the prohibition of the development and manufacture of new types of weapons of mass destruction and new systems of such weapons, and to draft possible agreements on particular types of such weapons."

Paragraph 3 of the same resolution calls upon the States permanent members of the Security Council, and other militarily significant States, to make declarations, identical in substance, concerning the refusal to create new weapons of mass destruction, as a first step towards the conclusion of a comprehensive agreement. Such declarations would be approved subsequently by a decision of the Security Council.

Resolution 36/89, as I have just said, broadens the general approach to solving the problem, and at the same time makes it possible for our Committee to renew its efforts in two directions. Working paper CD/261, submitted by the Hungarian delegation this spring, accordingly proposes concrete actions in both directions. Let me express the hope and expectation that the Committee is giving due attention to those proposals.

The first issue, which has already been discussed at length, is the establishment of an ad hoc group of qualified governmental experts under the aegis of the Committee. This group, in the view of my delegation, could be entrusted with the elaboration of a draft comprehensive agreement as well as the drafting of possible agreements on particular new types of weapons of mass destruction. This idea, I may state, has received broad support during our discussions, and only the opposition of certain Western countries has prevented the Committee from creating the ad hoc group.

The second issue concerns paragraph 3 of the General Assembly's resolution, which -- as I have already pointed out -- calls on the permanent members of the Security Council and other militarily significant States to make declarations stating their refusal to create new weapons of mass destruction. Such declarations, identical in substance, and to be approved subsequently by the Security Council, would be a first step towards the conclusion of a comprehensive agreement.

(Mr. Komives, Hungary)

Such an approach had already emerged as far back as 1977, when the delegation of the United Kingdom, reacting to the proposal aimed at the establishment of an ad hoc group, stated the following:

"... a more fruitful approach would be a firm condemnation by the world community of the development of new weapons of mass destruction, coupled with a request to this Conference to keep the matter under review ..."

The world community has on numerous occasions firmly condemned the development and manufacture of such weapons. Now it is the turn of those States which are capable of developing and manufacturing them to come forward with their own solemn declarations, committing themselves never to create any new weapons of mass destruction. Such declarations, as provided for in paragraph 3 of resolution 36/89, would have significant moral and political value. Since all the permanent members of the Security Council and practically all the militarily significant States are represented around this negotiating table, the Committee on Disarmament has not only the possibility but also the duty to deal with this issue in a serious manner.

The Hungarian delegation, together with a great number of other delegations, is eagerly looking forward to hearing statements of position made by the delegations concerned. While political statements are being made in formal meetings of the Committee, delegations, with the assistance of their experts, meeting informally, should give serious consideration to various aspects of the issue, among them the formulation of an appropriate draft declaration as described above.

With your kind permission, Mr. Chairman, I shall now address myself to the second part of the item: the prohibition of radiological weapons. The Committee has become deadlocked on this question, and the Working Group on Radiological Weapons has been mainly inactive during the summer session. One of the reasons for the deadlock is to be found in the existence of different approaches of priority concerning the prohibition of radiological weapons and the prohibition of attacks on nuclear facilities.

Some delegations in the Working Group have been repeatedly advocating priority for the prohibition of attacks on nuclear facilities, while unjustifiably playing down the role and necessity of the conclusion of a treaty on the prohibition of radiological weapons. The Swedish delegation, for example, in its memorandum in document CD/RW/WP.19, submitted on 16 March, stated the following:

"Studies undertaken by the competent authorities in Sweden show that the development of specific radiological weapons as defined by the drafters [of the joint Soviet-United States proposal] is a very remote possibility. They could hardly become practical weapons of mass destruction or for that matter even effective weapons on the battlefield."

My delegation, together with others, however, cannot agree with such an evaluation, and holds the view that this weapon is potentially no less dangerous and deadly than any other type of weapon of mass destruction. One cannot deny that the rapid development of the nuclear industry and the adoption and implementation by many States of their own nuclear energy programmes have inevitably resulted in a vast development and proliferation in the world of a technology employing various radioactive materials. This could by its nature become a material basis for creating one or another radiological weapon system. Besides, in the absence of a ban on the development of radiological weapons, States cannot rest assured that no single State will conduct any research to develop such weapons.

(Mr. Komives, Hungary)

In this connection I would like to draw the attention of the Committee to an interview with American nuclear physicist Cohen and French military theorist Jeneste, published in Die Welt of 16 January this year. Without commenting on the military-strategic and political aspects of this interview, I would like merely to note that its very subject gives — at least to some extent — an answer to whether radiological weapons are feasible or not, and how effective they could be.

In the interview Cohen advocates the development of a technically feasible and quite lethal gamma-weapon which he calls a harmless "nothing-bomb". According to Cohen, this weapon is completely controllable as regards timing, range of action and intensity of use. He believes that 100 kg of Uranium-235 is enough for laying down a "carpet" several thousand kilometres long and one thousand kilometres wide, the action of which is a matter of a few days only.

Gamma-rays owing to their high energy, are very dangerous to human beings and any living organisms. Gamma-rays from natural sources of radioactivity and from artificial nuclear reactions are already widely employed in science and technology. They are used in medicine, metallurgy and many other fields. Therefore the practical application of gamma-rays, including those of high intensity, is a reality which one cannot deny. Thus, there exists today a material basis for the practical devising of highly effective and lethal gamma-weapons, which clearly fall into the category of radiological weapons.

In order to prevent any possible developments, such as the one I have mentioned, the Committee on Disarmament must redouble its efforts aimed at concluding the negotiation of a draft treaty on the prohibition of radiological weapons. Should the world community already in the very near future face the fact of the emergence of one or another type of weapons employing radioactive material, the blame would be clearly on us, who have failed in due time to avert such a possibility.

The definition of radiological weapons given by the co-sponsors of the joint draft treaty covers any device, other than a nuclear explosive device, specifically designed to employ radioactive material to cause destruction, damage or injury by means of the radiation produced by the decay of such material. This formula prohibits any radiological weapon systems based on employing any types of radioactive material, regardless of their characteristics or the radiation emitted, should it be alpha-, beta- or gamma-rays, or radiation of neutral high-energy particles. Thus the definition suggested in the draft treaty covers also gamma-weapons.

In conclusion, I wish to underline the following. Since the emergence of special types of radiological weapons, such as the gamma-ray weapon described above, is definitely not a question of a remote possibility, the Hungarian delegation is convinced that in 1983 renewed and vigorous efforts will have to be made by the Committee, by every member around this table, in order to elaborate and successfully conclude the drafting of a treaty banning radiological weapons of any kind.

(Mr. Wegener, Federal Republic of Germany)

My concluding remarks relate to radiological weapons. Some days ago, in the Working Group, my delegation announced the imminent tabling of a working paper on the issues raised by a prohibition of military attacks on nuclear installations in the framework of a radiological weapons treaty. As I pointed out on that occasion, the working paper purports to recapitulate and amplify technical contributions made by my delegation in the course of negotiations on the subject at the spring session. The working paper also dwells upon the question how the existing protection of such installations under international law can best be improved, and formulates recommendations as to the relationship of such enhanced regulation to the "traditional" radiological weapons subject matter. The working paper offers a fairly comprehensive view of the problems mentioned, and, in the intention of its authors, should prove to be of substantial benefit to negotiators when they resume their work next spring. I am pleased to provide this brief introduction of the paper before the Committee and would like to request that it be circulated as an official document of the Committee on Disarmament, in addition to its status in the Working Group.

Speaking now as the outgoing Chairman of the Ad Hoc Working Group on Radiological Weapons, I should like to share with my colleagues a guarded feeling of optimism as to the future course of negotiations in that Group. During the current session, very limited time was set aside for formal work by the Group. However, as you are aware, I have tried to make use of the past weeks to invite delegations to reflect upon some problems which have so far hindered the rapid progress of negotiations, in particular with respect to the relationship of the two principal sets of problems to be regulated. On 2 September, I gave a full report to the Working Group on the results of my consultations which is contained in document CD/RW/WP.38 and I do not intend to repeat its contents here. I am pleased to note that the subsequent discussions have borne out my impressions that some new degree of flexibility has become visible on the part of delegations professing a particular interest in the matter. This has confirmed me in my view that a solution to the key problem of the radiological weapons negotiations can be found shortly under the double concept of "separation" and "linkage". I have also been encouraged to circulate, as a formal working paper of the Working Group, a revised, and I hope improved, version of a complete draft treaty on the so-called "traditional" radiological weapons subject-matter, after having been assured by a number of delegations that they would be prepared to consider that document as a basis for further negotiations in 1983. I continue to believe that the radiological weapons convention is a perishable good. The negotiation and conclusion of an international legal instrument -- or instruments -- cannot be protracted interminably. All delegations should constantly remind themselves that the failure of the Committee to provide comprehensive regulation in this field will gravely compromise the credibility and operationability of this body. But I think there are encouraging signs that this awareness is gaining ground. I wish every good luck to my successor as the Chairman of the Working Group on Radiological Weapons.

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Mr. IJEWERE Nigeria)

My delegation continues to attach great importance to the early conclusion of a convention prohibiting the development, production, stockpiling and use of radiological weapons in pursuance of United Nations General Assembly resolution 36/97 B. We see such a convention in the context of concrete measures towards nuclear disarmament; consequently, a future treaty on the prohibition of radiological weapons should contain an explicit commitment to pursue urgently negotiations on the cessation of the nuclear arms race and nuclear disarmament, and other priority items on the Committee's agenda.

Although the brevity of the summer session does not allow for the regular meetings of the Working Group we are, however, pleased to note that the informal consultations conducted by the active Chairman of the Working Group, Ambassador Henning Wegener of the Federal Republic of Germany, has produced some fruitful results. The evaluation of the replies received from delegations, contained in working paper CD/RW/WP.38 is a true reflection of the deadlock in the Working Group on the separation of the so-called "traditional" radiological subject-matter, and the problems relating to the protection of nuclear facilities from attacks.

(Mr. Ijewere, Nigeria)

It is also gratifying to note from the exchange of views held during the Ad Hoc Working Group's first meeting on 2 September 1982, that some delegations that have persistently advocated separation of the two subject-matters in appropriate legal instruments have, in a spirit of compromise, demonstrated some flexibility, and are now ready to explore various options based on the principle of "separation" with a "linkage" mechanism either in terms of protocols to the treaty or other possibilities that will have to be examined in the Working Group.

It is also noted in the Chairman's stock-taking statement that the Swedish delegation that originally made the proposal "has moved away from a rigorous application of the 'one instrument' concept, and has given thought to the possibility of an umbrella agreement for both subject-matters where either would be incorporated in a separate -- and I repeat the word 'separate' -- annexed protocol".

This positive approach towards negotiations, if pursued, will augur well for the work of this Working Group. My delegation, for one, has always shown considerable understanding for the views and national positions of other delegations based on principle, but we do not subscribe to rigid postures as a rule even where options for compromise are possible. It is in this context that we welcome the constructive proposal of the Japanese delegation on an optional linkage mechanism as contained in working paper CD/323. The proposal obviously has its demerits, but we believe it could provide a sound basis for further discussion in the effort to find lasting solutions.

My delegation stands convinced that negotiations on the prohibition of attacks against nuclear facilities in the framework of a radiological weapons convention should be pursued in this Committee. As a developing country, our interest in the subject stems from a belief in the inalienable rights of States to develop and implement their nuclear energy programmes for peaceful purposes. Also, the commitment of my country to the socio-economic development of its peoples, and to the fostering of international co-operation in the field of technology will, in my opinion necessitate the provision of adequate guarantees in an appropriate legal instrument to safeguard and protect facilities like nuclear power stations and processing or reprocessing plants developed for peaceful purposes. However, while my delegation remains flexible on the linkage mechanism that will ultimately evolve in the Working Group, we firmly believe that the scope of the prohibition should be broad enough to meet the concerns of all States -- both nuclear and non-nuclear, developed and developing.

Finally, the present trend in the Ad Hoc Working Group should remind us all that there is no creditable substitute for political will as a necessary ingredient for success in disarmament negotiations. As we prepare for the thirty-seventh session of the General Assembly, we should not close the door to informal consultations. Our report to the General Assembly should be forward-looking, reflecting the collective effort to find lasting solutions. We agree with the view that the divergences contained in the special report to the second special session now before the General Assembly should not be reopened. It is only in this way that the international community can make a positive contribution to the future work of the Ad Hoc Working Group at its 1983 spring session.

The CHAIRMAN (translated from Spanish): I thank the representative of Nigeria for his statement and for the kind words he addressed to the Chair. The next speaker on my list is the representative of Sweden, Ambassador Lidgard, to whom I now give the floor.

Mr. LIDGARD (Sweden): Mr. Chairman, at the outset I want to express my delegation's sincere satisfaction in seeing you in the Chair of this Committee at this crucial stage of our work. The previous speakers throughout this month have used all superlative adjectives in describing your experience and personal qualities and I can only endorse all those expressions of confidence in you. At the same time, my delegation also wants to express its gratitude to your predecessor, Ambassador Maina of Kenya, for the excellent way in which he carried out his tasks as our Chairman during the month of August.

The main topic for today's meeting includes the question of radiological weapons. I should, therefore, like to take this opportunity to make a brief statement on the present state of affairs as far as the work on a treaty prohibiting such weapons is concerned.

Although the Ad Hoc Working Group on Radiological Weapons has had only one substantive meeting during this part of the 1982 session, it is the impression of my delegation that a great deal of progress has been made, thanks to the constructive efforts displayed by the Chairman of the Ad Hoc Working Group, Ambassador Henning Wegener. The Working Group should thus be in a position to start fruitful negotiations right from the beginning of the 1983 session.

The Swedish delegation has noted with great satisfaction that the proposal regarding the prohibition of attacks against nuclear facilities has been widely acknowledged as a legitimate matter for negotiations in the context of a treaty banning radiological weapons. The number of negative or sceptical voices seems to be constantly diminishing as the importance and relevance of this issue becomes clearer. The comprehensive discussion we have had of these matters with the assistance of qualified experts during the 1982 session has greatly contributed to this end. This is not to say, however, that all problems have been resolved, but I think that delegations are now better prepared than before to have a serious discussion of the complex issues which arise in this context.

The time pressure felt by many delegations to have a treaty ready before the second special session on disarmament is no longer there. This will hopefully make it easier to conclude a meaningful treaty, which will be an asset to the world and to this Committee rather than a symbolic agreement devoid of all substance, which would merely have damaged the credibility of the Committee on Disarmament, the only multilateral negotiating body in the field of disarmament. It is high time for this body to be allowed to fulfil its proper role and not be confined merely to underwriting drafts which are negotiated outside the Committee, and, as in this case, practically empty of real substance in terms of arms limitation or disarmament.

It is a source of satisfaction to my delegation that several delegations have indicated that they are prepared to be flexible as far as the negotiation of a treaty on radiological weapons is concerned. It now seems to be generally acknowledged that "tracks A and B" should be given equal treatment, and that a linkage between them should be striven for. The Swedish delegation will also be flexible in this regard. As a matter of fact, Sweden intends to submit at an early stage during the spring session next year a draft treaty with two protocols, one dealing with the "traditional" part of the radiological weapons subject-matter, based on the original Soviet-American proposal, and the other dealing with the prohibition of attacks against nuclear facilities.

(Mr. Lidgard, Sweden)

My delegation has noted with interest the recent Japanese draft protocol contained in working paper CD/RW/WP.37. We would like to study this in depth before making comments in detail. We note, however, that one obvious difference between the Japanese draft and the so-called Swedish proposal is the fact that Japan envisages an optional protocol for "track B", whereas Sweden, as I have just said, intends to propose two mutually dependent protocols of equal standing, which would thus give the same importance to both "track A" and "track B". The separation of those two "tracks" is in our view a useful negotiating device, but in terms of the final outcome -- a treaty prohibiting radiological weapons -- the two tracks will have to be closely linked, so that one goes with the other. My delegation has stated it many times before and I repeat it again: a treaty on radiological weapons which does not contain a prohibition of attacks against nuclear facilities would be meaningless in substance. Furthermore, it would be detrimental to the credibility of the Committee on Disarmament.

Let me conclude by calling attention to another matter of great importance in this context. The primary motive for the Swedish proposal is the banning of attacks against nuclear facilities with a view to spreading radioactivity for hostile purposes. Next to a nuclear weapon explosion this would be the most effective method of dispersing radioactivity. This possibility must obviously be closed, if a treaty banning radiological warfare is to be meaningful. The protection of nuclear facilities is a secondary effect which is of great importance, not least to the civilian population. But as I said, the main motive is the banning of the military exploitation of this possibility as a means of radiological warfare. That is why it is relevant in the context of a treaty on radiological weapons.

Mr. WEGENER (Federal Republic of Germany): Mr. Chairman, I take pleasure in introducing the report of the Ad Hoc Working Group on Radiological Weapons as contained in document CD/328. I am gratified that the Group was able to adopt this report in a single session of record brevity. This testifies to the co-operative spirit which has prevailed in the Working Group during the present summer session.

After the customary introductory paragraphs and a list of working documents that have been submitted to the group in 1982, the report makes a concise documentary reference to its work during the first part of the session. The results of the spring session are, of course, already before the General Assembly as part of the Committee's special report to the second special session devoted to disarmament. The report then deals with the proceedings of the Working Group during the second part of the session. This session has been brief for all of us, but its limited duration was particularly felt by the radiological weapons Working Group. In keeping with the priorities established for this part of the session, the Group was able to meet in formal session only twice. However, as I reported at an earlier plenary meeting, the Chairman used the better part of August to initiate an exchange of views with delegations on the particularly pressing problem of the relationship between the two main subject-matters before the Working Group. Through a written exposé and a questionnaire, I endeavoured to perceive how the future ban on radiological weapons in the narrower sense and the problem of attacks against nuclear facilities could be suitably linked. My letter and questionnaire drew a vivid response from delegations. I reported to the Working Group in an extensive statement on 2 September about the replies received and additional consultations held. The statement is available as document CD/RW/WP.38. That statement and subsequent discussions in the Working Group show that the Working Group has not yet entirely succeeded in eliminating the difficulties encountered in this regard. However, it also became apparent — and I should make explicit reference to this positive feature — that a

(Mr. Wegener, Federal Republic of Germany)

new degree of flexibility existed regarding the relationship between the two radiological weapons subject-matters and that the way now appears open for a more promising resumption of negotiations on the issue next spring. Notwithstanding some substantial nuances, there is a widespread view in the Working Group that the two areas of the scope of the prohibition under consideration should in the future be looked at under the twin concept of "separation" and "linkage". There is now a clearer vision that the protection of nuclear facilities from attack deserves to be more seriously looked at, and, in the view of most delegations — in fairness, I should add, not all — the negotiating context between the two areas of the future prohibition should be preserved.

If on this matter of principle the stage is now better set for the future, the same could perhaps also be said of the radiological weapons subject in the narrower, "traditional" sense. Here again, it was not possible to agree on all the necessary details of the provisions to be incorporated in a future treaty. It was, however, acknowledged at the close of the Group's spring session that the level of consensus on certain of the provisions under consideration was then higher than it had been on previous texts. In order to facilitate further work and to preserve the degree of consensus already reached, the Chairman, at the end of this session, has circulated his own compilation of radiological weapons treaty provisions in document CD/RW/WP.39.

Delegations will easily see from the report, as I have now introduced it, that a lot remains to be done and many problems remain to be solved. The mood in the Working Group, however, has been good. If there is not a sense of outright achievement, there is certainly a sense of hope and co-operation. I am confident that the Working Group will forge ahead in its next session and attain tangible results towards firm negotiated results.

(Mr. Fields, United States)

I also want to say a brief word about the radiological weapons Working Group. Despite the fact that this Working Group met formally only twice during the summer session, I believe that, as a result of the efforts of its distinguished Chairman, Ambassador Wegener, the stage is set for more substantial progress towards the conclusion of a treaty banning radiological weapons during the coming session of the Committee. As I stated in my opening remarks to the Committee in August, my delegation is, and will continue to be, prepared to participate constructively in discussions of the question whether additional measures should be negotiated relating to the prevention of attacks on nuclear facilities. Ambassador Wegener has also introduced in the radiological weapons Working Group a compilation of treaty provisions (CD/RW/WP.39), representing his efforts to move the work of the Working Group toward a successful conclusion. My delegation appreciates these efforts, and believes that this compilation represents a useful focal point for continuing radiological weapons treaty negotiations next year.

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(Mr. Genscher, Federal Republic of Germany)

There is another area in which the Committee's work is well advanced and in which speed is advisable. I am referring to the prohibition of radiological weapons. We still have the opportunity to ban, for the first time ever, a category of weapons of mass destruction even before they are ready for deployment. My country's delegation, which chaired the working group on radiological weapons in 1982, will continue to strive for the early conclusion of such an agreement.

We sympathize with the proposal by a number of non-aligned countries to incorporate in an agreement banning radiological weapons a provision that prohibits attacks on civilian nuclear facilities and thus enhances the protection afforded to the facilities above and beyond the provisions of the Geneva Protocol. However, this proposal creates so many technical and legal problems that it is questionable, in my view, whether this subject should be combined with the subject-matter of an agreement on radiological weapons.

(Mrs. Theorin, Sweden)

This Committee should continue the negotiations on a treaty on radiological weapons. Sweden has proposed that such a treaty should include a ban on attacks against nuclear facilities containing radioactive substances.

Next to a nuclear explosion this would be the most effective method of dispersing radioactivity. This possibility must obviously be foreclosed, if such a treaty is to be meaningful. The protection of nuclear facilities is important -- not least for the civilian population -- but the main purpose of the Swedish proposal is to prevent any release of radioactivity, including military exploitation of this possibility, as an act of radiological warfare. When attacked, such a nuclear facility could be turned into a radiological weapon. Such a prohibition should consequently be included in a treaty on radiological weapons.

My delegation notes with satisfaction the growing support for our proposal both here in the Committee on Disarmament and in the United Nations. The number of negative or sceptical voices is diminishing as the importance of the issue becomes clearer. The question of the prohibition of attacks on nuclear facilities is generally acknowledged as a legitimate matter for negotiations. A growing number of delegations share our view that the matter should be dealt with in the context of a treaty on radiological weapons.

(Mr. Bush, United States)

My Government believes that the negotiations in this body on a convention to ban radiological weapons offer the prospect of a modest, but real, genuine step forward, a step that could eliminate a potentially very dangerous type of weapon. Mr. Chairman, we should take it as a cardinal rule of this Committee that when there is the prospect for real progress toward an agreement, we should pursue it to its conclusion. While there are a number of issues yet to be resolved, we believe that an agreement is within the grasp of this Committee and that we should move ahead with all due speed to conclude the negotiations on this treaty.

(Mr. Onkelinx, Belgium)

Another of the subjects I have described as being negotiable at the present time is that of the prohibition of radiological weapons. This question ought not to require such extensive work as that of chemical weapons. In fact the work on it appears to have reached a more advanced stage. What we most need in order to reach positive results during the present session is political decisions.

I shall not repeat here the reasons which, in our view, warrant the speedy conclusion of these negotiations. Belgium is well aware of the complexity of the other problems connected with the prohibition of radiological weapons in the strict sense. We have in the past indicated the way in which we think a reasonable compromise could be reached. We are convinced that possibilities exist for strengthening that compromise in such a way that the question of the prohibition of attacks on nuclear installations, to which we, too, attach importance, can be settled in the near future in the context in which it arose.

Belgium is not one of those countries which originally linked the question of attacks on nuclear facilities with that of radiological weapons. The course of the negotiations on radiological weapons happens to have led to these two questions being linked. What we now suggest is that the nature of this link should be defined — this approach being a change from our initial position. We look to others to adjust their positions also, both those who consider that the two questions have no connection with each other and those who wish to juxtapose them.

The solution we now envisage would include both a commitment to negotiate the prohibition of attacks on nuclear facilities, which would form an integral part of the convention on radiological weapons, and the working out of precise procedures for the implementation of this commitment. Belgium will put forward a proposal in this connection at a later stage.

(Mr. Cromartie, United Kingdom)

At the last session of the General Assembly my delegation joined in a consensus on resolution 37/99 C, dealing with radiological weapons. This resolution for the first time referred to the prohibition of attacks on nuclear facilities. In the view of my delegation, the fact that such a reference was made does not imply that the proposal to link this issue with that of radiological weapons in the same international instrument is generally accepted. Delegations will recall the view expressed last week by the Foreign Minister of the Federal Republic of Germany that the proposal creates so many technical and legal problems that it is questionable whether the two subjects should be combined. As is well known, this is very much the view that my delegation has always taken. We are, however, again prepared to take part in a discussion of both these topics in the Working Group without commitment either to the form of any instrument which might result or to the forum in which our agreement on a prohibition of attacks on nuclear facilities might be negotiated. We believe that such exploratory discussions can best be conducted in the existing Working Group under the present agenda item.

(Mr. Imai, Japan)

It is still fresh in everyone's memory that the United Nations General Assembly last year adopted by consensus an important resolution concerning a ban on radiological weapons, thus expressing its renewed expectation for its early realization. This resolution requested the Committee on Disarmament to continue negotiations on this question in order that a draft treaty prohibiting radiological weapons might be submitted to the General Assembly at its thirty-eighth session. It also requested the Committee on Disarmament to continue its search for a solution to the question of the prohibition of attacks on nuclear facilities. We have negotiated on a ban on radiological weapons already for three years. As a result, draft texts of a treaty have been submitted by the Working Group's chairmen, Ambassador Kónives of Hungary and Ambassador Wegener of the Federal Republic of Germany. On the question of the prohibition of attacks on nuclear facilities, we have on the table working papers submitted by the Federal Republic of Germany and Japan. We are given to understand that other initiatives, including one from Sweden, are to be expected.

We continue to believe that the conclusion of an agreement prohibiting attacks on nuclear facilities for peaceful purposes, within the framework of a radiological weapons treaty, is of great significance in order to break the seeming deadlock in the elaboration of the radiological weapons treaty itself. In this sense, we strongly expect that the outline of a draft optional protocol, which my delegation proposed last September, will serve as a useful catalyst for making progress on this issue. My delegation, for its part, will spare no efforts towards the achievement of this objective.

(Mr. Tellalov, Bulgaria)

My delegation is among those which are in favour of reaching speedy agreement concerning an international convention on the prohibition of radiological weapons. In regard to this issue we would like to draw the attention of Committee members to the need for certain States to indicate their readiness to revise their maximalist formulations, which have failed, in the course of time, to win general approval. We are convinced that a demonstration of goodwill on the part of those delegations will allow a process of bridging the differences on problems like the scope of a future convention, and the way to the final solution of the problem of the prohibition of radiological weapons will be cleared.

(Mr. Ahmad, Pakistan)

A similar display of foresight at the decision-making level can forestall mass destruction which will certainly follow in the aftermath of an attack on nuclear facilities. Scientific enquiry has proved that this is the only possible means of radiological warfare available at present. Without the provision of a prohibition of attacks on nuclear facilities, the proposed radiological weapons treaty will be no more than a dead letter.

A view has been expressed that the prohibition of attacks on nuclear facilities should not be discussed by the Committee on Disarmament as it falls within the area of the rules of war. On the other hand, the prevention of nuclear war is justifiably considered a legitimate subject for this Committee's full and immediate attention. Radiological warfare and nuclear warfare are essentially the same in character and identical in their inhuman consequences. The mass-destruction criterion is equally applicable in both cases. To take a diametrically different view of radiological warfare from nuclear warfare is manifestly self-contradictory. This duality of approach is hard to comprehend.

We are encouraged that in another context many States have recently affirmed their agreement to deal with the protection of nuclear facilities within the radiological weapons treaty. Our delegation will continue to participate positively in negotiations aimed at preventing attacks on nuclear facilities, however modest, involved in all stages of the nuclear fuel cycle, in the interest of the speedy conclusion of a radiological weapons treaty.

(Mr. de la Gorce, France)

With regard to radiological weapons, the French delegation earnestly hopes that the Working Group will be able finally to conclude its negotiations on a draft convention. The question of the protection of nuclear facilities, which a number of delegations wish to include within the same framework, appears to us to be a separate issue, relating rather to the laws of war than to disarmament. Those delegations should ask themselves whether or not they wish to make headway towards a solution.

Mr. KOMIVES (Hungary): Before turning to the subject of my statement, I wish to say how much we feel honoured by the visit of the United Nations Secretary-General, Mr. Pérez de Cuéllar, because his devotion to the cause of disarmament and his sincere interest in seeing progress achieved in this Committee fill us with encouragement. My delegation is in full agreement with the preoccupations and expectations contained in his statement.

Comrade Chairman, the group of delegations representing the socialist countries members of the Committee on Disarmament have requested the inclusion of a new item in the agenda of the Committee. The item now figures on the draft provisional agenda as item 10, entitled, "Ensuring the safe development of nuclear energy".

In view of the numerous requests for a detailed explanation of the motives behind our proposal, my delegation handed in to the secretariat a working paper, explaining our position on draft item 10. On behalf of the group of socialist countries I request you, Comrade Chairman, to have that working paper circulated as an official document of the Committee on Disarmament. By way of preliminary presentation, may I be allowed to make a few remarks.

When proposing the inclusion of the said item in the agenda, and the establishment of an Ad Hoc Working Group as the most suitable organizational framework to deal with the subject, the delegations of the socialist countries took into account the relevant resolutions adopted by the General Assembly of the United Nations at its thirty-seventh session. In one of those resolutions the General Assembly requested the Committee "to continue its search for a solution to the question of prohibition of military attacks on nuclear facilities, including the scope of such prohibition, taking into account all proposals submitted to it to this end". We are convinced that the elaboration of political and legal norms, aimed at promoting the strengthening of international security in one of its most important aspects, is a task which brooks no delay.

The question of ensuring the safe development of nuclear energy has certain specific features, which the Committee has not as yet come across. Let me call attention to a few of them:

First, the question contained in our proposal is by its nature of a universal character, and should, therefore, be treated and solved in the most suitable multilateral framework, which -- we are convinced -- is the Committee on Disarmament.

Secondly, the countries of the world without a single exception are deeply interested in the solution of that question, since an attack on a facility producing nuclear energy, wherever it may be located, would pose a grave threat to the vital interest of all States, whether in the neighbourhood or far away, and whether themselves possessing any nuclear facilities or not.

Thirdly, the consideration of the question of ensuring the safe development of nuclear energy, as a separate item on the Committee's agenda, would no doubt stimulate the early solution in a favourable manner of the question of prohibiting radiological weapons through the elaboration and conclusion of a convention to that end.

Finally, the initiative of the socialist countries is, and the implementation of their proposal would be, a significant contribution to the solution of the most urgent and acute problem facing the world community today -- the prevention of nuclear war.

(Mr. Oul-Rouis, Algeria)

As regards the negotiations on radiological weapons, the Ad Hoc Working Group ought to direct its efforts more towards finding a solution to the problem of the prohibition of attacks on nuclear facilities.

(Mr. El Reedy, Egypt)

With regard to the convention on radiological weapons, we welcome the wider understanding and support enjoyed by the Swedish proposals aimed at prohibiting any attack on nuclear installations. The importance of this issue has been proved by events. Consequently, it should not give rise to any differences among us. We must exert further efforts in order to complete the elaboration of this convention, a goal which my delegation will seek to attain.

(Mr. Issraelyan, USSR)

We sometimes come up against other methods of hampering the attainment of agreement on questions that are ripe for settlement. Let us take the matter of the prohibition of radiological weapons. As long ago as in 1979 a proposal was put before the Committee for the basic provisions of an appropriate international treaty which had been agreed on by a number of delegations, and furthermore those delegations expressed their readiness to take account in a constructive spirit of the wishes of other members of the Committee. It might have been expected that a draft international agreement would very quickly have been prepared in order to prevent the appearance of an extremely dangerous new type of weapon of mass destruction.

However, the settlement of this question was fatally linked with that of another question no less important but not directly connected with the problem of radiological weapons -- the question of the prevention of military attacks on peaceful nuclear facilities.

We may well ask what was the point of artificially linking two important questions which could both have been fully dealt with independently of each other? Who benefited from this linking? The course proposed radically contradicts all past practice in the conduct of negotiations on arms limitation and disarmament questions. This practice long ago rejected the "all or nothing" approach. We urge that the Committee should be given the opportunity of settling both questions without delay.

Mr. ISSRAELYAN (Union of Soviet Socialist Republics) (translated from Russian): Mr. Chairman, allow me, on behalf of the Soviet delegation, to congratulate you, the representative of the non-aligned State of Morocco, with which the Soviet Union maintains good-neighbourly relations, upon your assumption of the Chairmanship of the Committee for the month of March. I should at the same time like to express our profound gratitude to Ambassador Erdembileg, the distinguished representative of the Mongolian People's Republic, for his successful accomplishment of the duties of Chairman of the Committee during the initial phase of its work in 1983.

The Soviet delegation would today like to draw the attention of the Committee to the question of ensuring the safe development of nuclear energy. As you know, the group of socialist countries has submitted a proposal for the Committee on Disarmament to conduct negotiations on this issue with a view to elaborating an appropriate international agreement.

At the present time, the problem of ensuring the safe development of nuclear energy is particularly important and urgent; it is raised by life itself. The extreme importance of this question is also due to the fact that it is one aspect of the problem of the prevention of nuclear war.

The practical necessity of raising the question of ensuring the safe development of nuclear energy is linked with the irreversible process of its rapid development. The number of nuclear installations for non-military purposes is growing in the world. The interest of many States in the development of nuclear energy shows that this vitally important industry will continue to develop speedily in the future. The rapid development of civilian nuclear energy in the world is an indisputable fact of modern life, which has a great future. According to IAEA data, by the end of 1981, in 23 States of the world, there were 272 nuclear energy reactors with a capacity of more than 150,000 MW (electric), which produced 9 per cent of all electric energy output in the world. In addition to that, 239 nuclear energy reactors were under construction, the commissioning of which will bring the total capacity of nuclear power stations up to 376,000 MW. By 1985 nuclear energy reactors should produce 17 per cent of world electric energy output, and by the end of the current century, 25-30 per cent.

These facts show that the further development of nuclear energy is in the interests of the progress of human civilization. Modern science confirms that this process is inevitable. In the future it will acquire a still greater scope, in particular because, as the non-renewable resources of organic fuels are exhausted on earth, peaceful nuclear power will make it possible to meet the ever-growing requirements of mankind in the spheres of energy, supply industry, agriculture and scientific research. There is no doubt that nuclear energy will be developed in a growing number of countries and on virtually all continents. Accordingly, the technical equipment will become more sophisticated and there will be an increasing number of such nuclear installations as nuclear power stations, research reactors, nuclear fuel production and processing plants and depots for radioactive materials.

Nuclear power stations and other nuclear installations are located quite irregularly over the globe. The majority of such installations are situated in western Europe. Peaceful nuclear energy is being developed rapidly in the Soviet Union and other CMEA member countries.

(Mr. Issraelyan, USSR)

In the 1980s, the growth of electric energy production in the Soviet Union will be basically assured by nuclear energy. More than 70 per cent of the increase in electric energy production will be obtained from nuclear and hydro-electric power stations. In 1985, nuclear power stations will produce up to 220-225 billion kWh of electric energy. New facilities will be commissioned with a capacity of 24-25 million kW. Work is being continued to develop fast neutron reactors and to use nuclear fuel for the production of thermo-energy. To this end capacities will be commissioned at the Smolensk, Kalinin and Kursk nuclear power stations. In the Ukraine, new capacities are being commissioned at the South Ukrainian, Khmel'nitsky, Zaporozhye, Chernobyl'ska, Crimea and Rovno nuclear power stations and at the Odessa nuclear thermal power station. In Lithuania, the first stage of the Ignalinsk nuclear power station is being put into operation.

New energy units are being developed in the USSR with fast neutron reactors with a capacity of 800-1,600 thousand kW. We have initiated the construction of several powerful nuclear stations for the supply of heat, each of which will be able to supply heat to a city with a population of many thousands.

The Soviet Union has participated and will participate in the construction in the fraternal socialist countries of nuclear power stations and other installations. On the territory of the USSR major enterprises will be constructed on an integrated basis, in the same way as the Khmel'nitskaya nuclear power station.

That is why we are interested in ensuring the safe development of peaceful nuclear facilities and call upon the Committee on Disarmament to consider this important question.

The premeditated destruction of nuclear power stations, research reactors and other similar facilities is capable of causing the release and dissemination of a tremendous quantity of radioactive substances, with disastrous consequences for the population; in other words, it may lead to consequences similar to those resulting from the use of nuclear weapons. According to the estimates of the experts, the radioactive contamination occurring after the destruction of only one nuclear power station with a capacity of 1 million kW would in the short term be comparable with the radioactive contamination after the explosion of a 1 mt nuclear bomb and it would be dozens of times higher after a period of one year or more. The estimates of Swedish experts show, for example, that after a major accident at a power station with such a capacity, the fatality rate in a 16 km zone of radioactive contamination would be 58 per cent. The total surface of contamination could be up to tens of thousands of square kilometres. Over this area, the prolonged effect of radiation would cause cancerous diseases and manifestations of adverse genetic consequences. It should be added, that owing to the fact that the set of radioactive isotopes occurring after the destruction of such facilities is different from those occurring after a nuclear explosion, the consequences of radioactive contamination after the destruction of such facilities would last longer than after the explosion of a nuclear charge and would continue for 50-100 years or more.

It is important to note that an attack on nuclear installations could have serious consequences not only for the States exposed to such an attack but also for neighbouring countries, since the radioactive substances released as a result of such actions might spread far beyond the State's boundaries. It is not difficult to understand what a danger an attack on peaceful nuclear facilities might constitute for countries which have a large number of civilian nuclear installations.

(Mr. Issraelyan, USSR)

These facts convincingly show that it is in the interests of the international community to ensure the safety of peaceful nuclear facilities and that the prohibition of attacks on such facilities on the basis of an international agreement would be an extremely important measure.

As has already been noted, the destruction of peaceful nuclear installations even with the use of conventional weapons would in fact have the same kinds of consequences as an attack with the use of nuclear weapons. The destruction of such facilities as a result of the use of nuclear weapons would have disastrous consequences of a global nature. Therefore, the need to ensure the safe development of nuclear energy is organically linked with the task of the prevention of nuclear war. That is why the problems of ensuring the safe development of nuclear energy and the prevention of nuclear war represent two components of the general task of eliminating the nuclear threat. All this supports the idea that the question of the prevention of attacks on peaceful nuclear installations should become the subject of serious negotiations in the Committee on Disarmament, with a view to elaborating international legal measures to prevent such actions. It is absolutely clear that the elaboration and adoption of such measures would make a significant contribution to the prevention of nuclear war in another important way.

It should be noted that the question of the safe development of nuclear energy is not a new one. For a number of years it has been raised and actively discussed in the Committee on Disarmament and other international forums.

The Soviet Union has taken an active part in the discussion of the question of the protection of peaceful nuclear facilities in the Committee, and declared its readiness to make a contribution to the elaboration of appropriate international legal measures in addition to the already existing legal instruments. We have stated, in particular, that we are ready to conduct negotiations both within the framework of the Committee on Disarmament and at a conference convened especially for this purpose. We have also proposed the establishment of a certain time-limit for the elaboration of the necessary international legal measures to protect peaceful nuclear facilities. The only thing to which the Soviet delegation has always objected, and these objections remain, is the confusion of two different questions: the prohibition of radiological weapons and the protection of peaceful nuclear facilities from attacks. We have always been in favour of independent negotiations on these two different issues and against their linkage. We believe that it would be correct to try to complete the talks on a radiological weapons ban while at the same time elaborating international legal measures aimed at preventing attacks on peaceful nuclear facilities. In our view, the speedy completion of the elaboration of a treaty on the prohibition of radiological weapons would open the way to progress in the negotiations on the protection of civilian nuclear facilities, the safe development of which is of profound interest for all countries of the world.

The prevention of attacks on civilian nuclear facilities is an important and independent question requiring serious consideration, and we would like to emphasize once again that it should not be artificially linked with the problem of radiological weapons.

(Mr. Fields, United States)

Let me be frank. In the four years since this Committee was formed, we have come to expect polemics and rhetoric as part of the normal course of business. But underlying this surface turmoil, there has been a solid desire by all to do the patient and time-consuming work of disarmament. We could be close to agreement on a radiological weapons treaty; we have made progress toward a chemical weapons convention, and progress has been made in other areas. Today, however, we see our work stalled by a series of procedural manoeuvres and artificial linkages, and the presentation of irreducible positions which seem to be based more on a desire to make a theological point than a concrete desire to get on with the work of this Committee.

CD/PV.212.

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Mr. CROMARTIE (United Kingdom): I wish this afternoon to speak briefly on the subject of radiological weapons, which figures on our programme of work for this week, and to introduce the working paper (document CD/374) which was on our tables this morning, setting out the views of my delegation on certain questions relating to the scope and definition of a radiological weapons treaty. This paper was in fact the fruit of our reflections on the discussion that took place in the radiological weapons Working Group in the spring session of last year, but it did not seem appropriate to introduce it until the Group had begun its substantive work again. Fortunately this is now the case, and I believe that it is now timely to share these thoughts with the Committee.

The working paper deals first with the definition of radiological weapons as we believe they were originally conceived by the joint authors of the draft treaty tabled in 1980. There are obvious difficulties in defining a weapon which does not exist; but it seems to us that the key features of such a weapon would be that it would function by dispersing or disseminating radioactive material in the environment, and that it would be so designed that the primary danger would arise from exposure to the dispersed radioactive material. The means of dispersion might be an explosion but our definition must include sprays, aerosols or any other method of dispersing radioactive material in large quantity.

A major point of difficulty in defining a radiological weapon lies in how to make clear that nuclear weapons are excluded from the treaty. It has not so far been possible to find language acceptable to all delegations on this point. The United Kingdom delegation has, as the Committee will be aware, made some suggestions as to a "positive" definition, but neither this definition nor others which have been put forward have been found to be wholly satisfactory. We have come to the conclusion that the "positive" definition which some delegations wish to have may be unattainable. Those put forward so far are really "negative" definitions in another guise. We have not been able to find a method of saying only what a radiological weapon is, without at the same time saying what it is not. The United Kingdom delegation would prefer, therefore, that the definition adopted should specifically exclude nuclear weapons and other nuclear explosive devices in so many words, i.e. that we should have what has been termed in the Working Group a "negative" definition. Such a definition has, in our view, a greater possibility of being unambiguous and unmistakable in intent.

(Mr. Cromartie, United Kingdom)

The working paper that we have tabled also considers the scope of a treaty as it relates to the prohibition of attacks on nuclear facilities. I will only summarize briefly the arguments on this point because they are set out fully in the paper. Firstly, we draw attention to the fact that the question of attacks on nuclear electricity-generating stations are already covered in the Additional Protocols to the Geneva Conventions, and to the risk of confusion if this question were also dealt with in another legal instrument. Secondly, we argue that there are fundamental dissimilarities between the use of radiological weapons and attacks on nuclear facilities which make it inappropriate for these two matters to be dealt with in a single legal instrument. In the first case, an attack would employ a weapon or means of dispersal specifically designed to disseminate radioactive material, and this material would presumably be contained in the weapon itself. In the second case, an attack on a nuclear facility, not only is the radioactive material not delivered by the weapon system, but the immediate vehicle of attack could be a weapon of a conventional type which would not, of course, be banned by the treaty. We find serious conceptual difficulties in bringing together these two ideas. We conclude that the fact that both the use of radiological weapons and attacks on nuclear facilities would have the effect of causing damage by dispersal of radioactive material is too narrow a reason for attempting to prohibit them within a single legal instrument.

Finally, our paper comments on the differences of view which were expressed in the Working Group last year among those delegations which wish in principle to see a prohibition of attacks on nuclear facilities included within the scope of the treaty. In particular it draws attention to the differences as to whether military facilities should be excluded from the treaty, and whether there should be a lower limit on the size of facilities which should be included in any prohibition. It seems to my delegation that these questions must be resolved if any progress is to be made.

However, the fact that we have agreed that there should be further exploratory discussions with this aim in mind and that these should be held separately within the radiological weapons Working Group should not be taken as acceptance on the part of my delegation of the idea that the Committee on Disarmament is necessarily the most appropriate body in which any subsequent negotiations on attacks on nuclear facilities, if such were agreed to, should be completed. We retain, as hitherto, an open mind on this question.

(Mr. Tindemans, Belgium)

Another significant international agreement is within the Committee's grasp and that is an agreement on the prohibition of radiological weapons. If such an agreement were to be concluded, it could not only prohibit radiological weapons but also initiate a more comprehensive regulation than at present exists of the prohibition of deliberate attacks upon civilian nuclear installations. In order to facilitate these negotiations, Belgium intends to prepare a proposal for the inclusion in the convention of an undertaking to negotiate on the prohibition of attacks upon civilian nuclear installations. At the same time, we would endeavour to establish the precise modalities for implementing that undertaking without delay.

CD/PV.221

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(Mr. Sadleir, Australia)

I turn now to the comments I foreshadowed on item 5 of the Committee's agenda, that is, radiological weapons. I address myself, in particular, to current proposals for an international legal instrument on the protection of civilian nuclear facilities.

The Australian Minister for Foreign Affairs, Mr. Bill Hayden, in a statement in Parliament on 24 May, stated that Australia would announce its support for a ban on attacks on civilian nuclear facilities. Many considerations have led us to this position. First, there is the basic need to ensure that resort is not had to radioactive contamination as a method of warfare. Secondly, the relevant provisions of the 1977 protocols to the Geneva Convention of 1949 are inadequate. When the protocols were negotiated, Australia entertained doubts, for example, about the ambiguity and narrow scope, for instance, of article 56 of Protocol I. Thirdly, few countries have, in fact, ratified the protocols, not least, presumably, because of their sheer complexity.

We shall, however, be keeping an open mind on exactly how the ban we seek on attacks on civilian nuclear facilities should be negotiated. We see no bar to the Committee on Disarmament doing so, but we remain flexible on the precise form of an agreement and its standing in relation to other international agreements.

As to a convention on the traditional radiological weapons material, my delegation welcomes the initiative shown by the United States of America in proposing new verification and compliance procedures for a future treaty. We see much merit in a consultative process which encourages compliance problems to be resolved at a low level of what might be described as "political excitability". The verification system for a comprehensive test-ban treaty could, if I may say so, also benefit from such a process.

My delegation is encouraged by the energetic approach to the traditional radiological weapons material shown by the sub-group co-ordinator, Mr. Busby, of the United States delegation. We applaud his efforts to move the Group into definitive negotiations and we urge all delegations to co-operate in a bold attempt to conclude a radiological weapons treaty by the end of this session.

The Australian delegation looks forward to its continuing role in the work of this Committee on a nuclear test ban and on radiological weapons. Both matters offer the Committee clear and major opportunities to strengthen its standing in the eyes of governments and in the hearts of the world public which they represent. The opportunities should be energetically seized.

(Mr. Carasales, Argentina)

In the Ad Hoc Working Group on Radiological Weapons there is a pretence of willingness to negotiate on the prohibition of non-existent weapons of doubtful effectiveness, the very definition of which is unclear. But in the delimitation of this concept on the basis of radioactive materials there is a risk of the creation of new and additional restrictions on the use of nuclear energy for peaceful purposes, particularly as regards the application of radioisotopes. This could result in significant increases in the cost of manufacturing food and health products, to the detriment of the countries with fewer resources; that is to say, an attempt is being made once more to prejudice particularly the interests of the developing countries while at the same time inflexibility is being shown as regards the adoption of effective measures to eliminate the real and immediate threats.

CD/PV.226

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(Mr. de Souza e Silva, Brazil)

Allow me also to make a few comments on the state of play regarding the work on radiological weapons. My delegation appreciates the effort made by the co-ordinators of Group A and Group B on the two tracks along which the Working Group agreed to consider the question of a possible treaty on radiological weapons and we look forward to the consideration of the results achieved by Group A and Group B at a future meeting of the Working Group itself.

Some of the basic preoccupations of my delegation, which are shared by the Group of 21 as a whole and which have been stated a number of times in official documents of the Group of 21, have not yet been satisfactorily resolved. First and foremost, a suitable definition of the exact kind of weapon to be prohibited continues to elude us. The proponents of the prohibition are apparently unable to present to the Working Group a clear, precise and uncontroversial explanation of the characteristics of the radiological weapon whose banning they seek. The solutions so far advanced either fall short of the necessary clarity or raise serious doubts about their ultimate effect.

For my delegation, representing as it does a country which does not possess nuclear weapons and which has no intention of developing either such types of armament or any radiological means of warfare, the proposed treaty on the prohibition of radiological weapons must not become another device to place restrictions on the utilization of nuclear energy for peaceful purposes and must not become an instrument for the legitimization of the possession and continuing development of any weapon of mass destruction, especially nuclear weapons. Brazil stands fully behind the proposals made jointly by the Group of 21 in working papers CD/RW/WP.36 and CD/RW/WP.48, and we are confident that such positions, which represent the view of a majority of the members of this Committee, will be fully taken into account in the reports of the co-ordinators to be presented to the Working Group.

My delegation continues to be willing to co-operate in the search for a satisfactory approach that will take care of the basic concerns it has expressed time and again, together with all members of the Group of 21. Despite the low priority we attach to the subject, we feel that the interest shown by a few other delegations in the achievement of a treaty deserves our respect and understanding. We trust that those delegations will show equal respect and understanding for our own concerns.

Mr. ISSRAELYAN (Union of Soviet Socialist Republics) (translated from Russian): Mr. Chairman, in its statement today the Soviet delegation would like to dwell on two subjects, namely, the question of ensuring the safe development of nuclear energy through the prohibition of the intentional destruction of nuclear facilities, and the question of the prohibition of radiological weapons.

As you know, the question of the protection of nuclear facilities against attacks is being actively discussed within contact group B. The group has conducted a series of discussions on a wide range of aspects of this problem. Although the work of the group has not yet been completed, the results of the meetings and informal consultations it has held can be summed up and a number of conclusions can be drawn.

The consideration of the subject of the protection of nuclear facilities against attacks is being carried out actively, in a constructive spirit and in a practical manner. The importance of the protection problem is now recognized by virtually all delegations. The great interest in it displayed by delegations and the animated discussions convincingly show that the problem of the protection of nuclear facilities is extremely important and urgent. The active interest of the participants in the discussions is clear not only from the intensive character of the exchange of views, but also from the number of documents submitted on this question, which have been the subject of careful study, analysis and comments by delegations. The reason why there is a need to work out international legal measures to prevent actions leading to the deliberate destruction of civilian nuclear facilities is that the destruction of nuclear facilities could have consequences similar to the effect of a nuclear explosion.

All this shows that the Committee on Disarmament is the best and most appropriate place in which to conduct negotiations on this urgent disarmament issue.

Discussions have been held on such key issues of the protection problem as the scope of the prohibition, the adequacy of existing international legal instruments in this field and their relationship with other agreements, the establishment of protective zones around nuclear facilities and measures of control and verification in respect of compliance with a possible agreement. This very fact bears witness to the great interest displayed in this question by the delegations of various States represented in our Committee.

An understanding is growing among delegations that the problem of the protection of nuclear facilities against attacks is both specific and extremely complicated, not only from the political but also from the military, legal and technical points of view. The discussion which has been held has also been useful in revealing new dimensions of the problem. All this has helped to establish a general understanding that the current consideration of the protection problem represents only the beginning of its examination, comprehension and elaboration from the legal point of view. This process could be continued in the future with the participation of experts.

(Mr. Issraelyan, USSR)

The main discussion was held on the fundamental issue of the scope of protection against attacks on nuclear facilities, namely, on the question what nuclear facilities, what types of nuclear installations should be protected by a possible agreement, for example, a convention. It should be noted that the overwhelming majority of delegations single out the problem of the scope of the prohibition as the most important of the whole range of questions involved.

Different views have been expressed in this connection. Two main approaches to this problem can be identified.

The majority of delegations, including our own, believe that protection against attacks should cover only civilian nuclear facilities. Some delegations considered that the future convention should protect only those civilian nuclear facilities which are covered by IAEA safeguards, since they believe that this is the most reliable way of solving the problem and the easiest to implement.

The other delegations advocate a different approach according to which protection should cover all nuclear facilities without exception, both civilian and military, arguing that the destruction of such facilities could be a source of radioactive contamination. True, they explain that, for example, nuclear submarines, aircraft carriers and cruisers equipped with nuclear power reactors, as systems of weapons, should not be covered by a possible agreement on the protection of nuclear facilities against attacks.

The Soviet delegation firmly advocates the prohibition of deliberate attacks on civilian nuclear facilities.

Certain differences and at the same time a proximity of positions have also been identified on the subject of what specific nuclear facilities should be covered by the protection against attacks or, in other words, what should be included in a list of such facilities. The Soviet delegation proposed including in the list nuclear power stations, research reactors, nuclear fuel production and reprocessing plants and the places of storage of fissionable materials. A number of other delegations have approximately the same idea.

In our view, an extremely interesting exchange of opinions was held also in respect of the criteria for determining the nuclear facilities to be protected: the minimum threshold of heat and power output for nuclear power and research reactors, the minimum level of radioactive materials for other nuclear facilities, potential danger, etc.

Many delegations legitimately ask how the task before us should be resolved and what should be the aim of the current negotiations. A number of delegations are in favour of making a possible agreement the main and most important part of a treaty banning radiological weapons because, in their opinion,

(Mr. Issraelyan, USSR)

the destruction of nuclear facilities is the most probable and dangerous form of the use of radiological weapons and thus of waging radiological warfare. In particular, this is the point of view of the delegations of Sweden, Pakistan and Argentina.

However, the attempt to solve the question of the prohibition of attacks against nuclear facilities within the framework of an agreement on the prohibition of radiological weapons has, as you know, become the main obstacle to progress in resolving both these issues. We are convinced that the prohibition of radiological weapons and the protection of nuclear facilities against attacks are different questions only incidentally connected.

The Soviet delegation has consistently advocated the independent consideration of the subject of the protection of nuclear facilities against attacks and the conclusion of a separate agreement on it. At the same time, as we have already repeatedly stated, we are ready to display a certain flexibility.

The discussion of the legal aspects of the problem has also shown that the majority of delegations consider the existing international legal instruments, including Additional Protocols I and II (1977) to the Geneva Convention of 1949 concerning the victims of international conflicts to be inadequate. The necessity was stressed of elaborating a special separate agreement on the question of the protection of nuclear facilities against attacks. The Soviet delegation agrees with this view.

At the same time, like a number of other delegations, we are in favour of creating zones around the nuclear facilities to be protected and the elaboration of appropriate and effective verification procedures the nature and content of which, naturally, will be determined by the solution to the question of the scope of the prohibition.

The exchange of opinions was also necessary and useful because it revealed both the common approaches and the differences in the positions of delegations, thus opening the way toward the identification of the potential working possibilities in this direction as a whole.

I should now like to touch upon the question of the elaboration of a treaty on the prohibition of radiological weapons. The situation here is different. This subject has been under consideration in the Committee on Disarmament for almost four years now. As you know, this was preceded by seven rounds of Soviet-American talks as a result of which, in 1979, a draft of the basic provisions of a treaty banning radiological weapons was submitted. Many delegations have proposed alternative versions of the key provisions of the treaty, including provisions on such questions as the definition of radiological

(Mr. Issraelyan, USSR)

weapons, the scope of the prohibition, peaceful co-operation and the control and verification procedures. Positions have also been stated on the form of the future agreement. The points of view of delegations are known on practically all aspects of the question of the prohibition of radiological weapons.

Contact group A, which is considering this problem, made a new attempt to draft the text of the future treaty, this time on the basis of the co-ordinator's composite paper, document CD/RW/CRP.20. As a result of the first reading of the greater part of the document, the group managed to agree ad referendum the wording of only four paragraphs of the preamble. In spite of the fact that the exchange of opinions on the content and wordings of other provisions of the draft treaty promoted a certain clarification of positions, progress on the key issues once again proved impossible. The position of the Soviet delegation on the text of the treaty, including the co-ordinator's version, was stated in detail in the contact group and there is no need for me to repeat it here at the plenary meeting. In the attempts to find mutually acceptable solutions on various aspects of the question of the prohibition of radiological weapons we, for our part, have displayed considerable flexibility and understanding. We believe that success in solving this problem requires realism and political will on the part of all the delegations represented in the Committee. We are firmly convinced that our main task in this field is to elaborate international legal measures for the prevention of an arms race in one of the potentially more dangerous directions, and not to weaken existing agreements.

It is high time to complete the elaboration of a treaty on the prohibition of radiological weapons. Many people rightly consider the Committee's inability to achieve an agreement even on the prohibition of a non-existent type of weapon indicative of the ineffectiveness of the Committee in general.

We once again urge those delegations which are interested in the prohibition of this type of weapon of mass destruction to try to find a possibility for a final agreement during the remaining few weeks of the Committee's work. Naturally, this should not mean that the delegations that are not interested in this subject should join in such an agreement.

Mr. EKEUS (Sweden): Thank you Mr. Chairman. May I at the outset of this statement congratulate Ambassador Oscar Vaernø of Norway for his very important statement and also thank him and the Norwegian delegation for the important working papers they have introduced today.

The subject of today's deliberations of the Committee is, among other matters, radiological weapons or, as my delegation prefers to call it, radiological warfare. I should like to take the opportunity to state my country's position on this subject.

(Mr. Ekeus, Sweden)

The United States and the Soviet Union submitted four years ago a document entitled "Joint USSR — United States proposal on major elements of a treaty prohibiting the development, production, stockpiling and use of radiological weapons" — to quote the text in document CD/31.

We studied the proposal and came to the conclusion that the substantial content of the proposed elements was extremely limited. The Swedish delegation then proposed that the treaty should include also a prohibition of attacks on nuclear facilities, as such attacks could cause the emission of radioactivity on a massive scale. We did so because we considered it important that this means of waging radiological war too, should be banned. But we also did it in order to inject substance into the joint draft. Or at any rate — if one is prepared to admit that the draft is not entirely devoid of substance — in order to add considerably, even crucially, to its content.

The proposal of the United States and the USSR was, in our opinion, firmly rooted in the proposed joint draft. More precisely, we considered it a specified case under article III of that draft. The article laid down that "Each State Party... undertakes not to employ deliberately, by its dissemination, any radioactive material not defined as a radiological weapon... to cause destruction, damage or injury...". We adhered to the concept of radiological effect. We also adhered to the concept of mass destruction. However, we did not suggest that nuclear facilities were weapons, but that they, by an enemy, could be used for radiological warfare. Hence our preference for that broader term.

As to the nuclear facilities that should be protected from attacks leading to radiological consequences, we consider that four main types qualify, namely, nuclear power and research reactors above a certain thermal output, intermediate spent fuel storages, reprocessing plants and, finally, high-level waste deposits. Of the four types, no doubt, the nuclear reactors are the most dangerous.

Most of the nuclear reactors in the world cannot, when attacked, become radiological warfare instruments as an unintended side effect, because they are strongly safeguarded against civil accidents. Swedish studies show that a combination of different systems must be attacked with high precision and even in a certain time sequence if the attacker wants to cause extensive radiological consequences. This means that such an attack must be carefully planned. It is also perfectly possible, by using modern weapons of high precision, to render them incapable of fulfilling their normal function, like supplying electricity, without causing radiological consequences.

Attacks on spent fuel storages, reprocessing plants and waste deposits could not, as we see it, have any other purpose than provoking dangerous situations from a radiological point of view.

A treaty prohibiting radiological weapons has now been discussed and negotiated in an Ad Hoc Working Group for some years. This year the deliberations have taken place in two separate contact groups within the framework of the Working Group. Without prejudicing the question of one agreement for the whole subject-matter or two, what has been termed "traditional RW" and "prohibition of attacks" have been discussed separately in groups A and B. The Swedish delegation actively participates in both groups.

(Mr. Ekeus, Sweden)

Useful exchanges of views have taken place. They have shed light on the problems and at times suggested where solutions to the problems might lie. I will not, however, today enter into the question whether agreement will be reached this year or not.

There are several reasons for my reluctance to do so. Perhaps the main cause is that the problem of the so-called linkage remains. "Linkage" in this context refers to the link between the two halves of the subject-matter, "traditional RW" and "prohibition of attacks". Those desiring a combined treaty, like the Swedish delegation, do so to make sure that the negotiations on "prohibition of attacks" are carried to a successful conclusion, and that is the main reason.

My delegation's attitude was, as I have said, from the beginning that by proposing the inclusion of "prohibition of attacks" in the joint draft, the substance of that draft would become supplemented in an essential way. However, substance is to us more important than form.

In this context I would like to comment on Additional Protocol I to the Geneva Conventions of 1949. It is sometimes suggested that this Protocol contains provisions that offer sufficient protection to nuclear facilities.

We do not deny that the Protocol is of some value in this connection. But it has shortcomings. The only facility specifically named is the "nuclear electrical generating station". Reactors for other purposes are not mentioned. Facilities, apart from "electrical generating stations", enjoy under the Protocol a certain protection, but only in a very general way. Besides, and this goes also for the one type of nuclear facility specified in the Protocol, their safety is entrusted to the judgement of military commanders. It is this subjective element in the protection which my delegation considers unsatisfactory.

The Additional Protocol I I have referred to also suffers from the disadvantage of having a relatively small number of parties. This is illustrated by the fact that among the 40 countries represented in this Committee, only three have ratified the Protocol.

Finally, the Swedish approach to this problem is that Sweden would like to see the protection of the four types of nuclear facilities I have previously enumerated completed, namely, through a provision that States parties to a treaty prohibiting attacks stand absolute liability.

The CHAIRMAN (translated from Spanish): I thank the representative of Venezuela for his statement and for the kind words he addressed to the Chair. I now give the floor to the representative of the Federal Republic of Germany, His Excellency Ambassador Wegener.

Mr. WEGENER (Federal Republic of Germany): Mr. Chairman, I should like to address today the topic of radiological weapons.

Colleagues will remember that in my capacity as Chairman of the Ad Hoc Working Group on Radiological Weapons in 1982 I conducted a series of in-depth consultations on the future of our negotiations. I was satisfied to report at that time -- just about a year ago -- that my detailed inquiry had shown a general consensus that substantial importance was still attributed to the subject of radiological weapons and that negotiations should be pursued at a rapid pace with a view to an early conclusion. My inquiry had also shown that the vast majority of delegations agreed that the protection of nuclear installations from attack should be improved by appropriate international regulation, and that such a regulation could be evolved in the framework of the Committee on Disarmament. The broad agreement on these two points then seemed to constitute an excellent basis for negotiations during the current year.

However, in spite of the commendable effort of those who have presided over our endeavours, almost no progress has been registered during the current session. Our negotiations on radiological weapons, in both group A and group B, are in a sorry state. Why? How can we explain that negotiations are at a point of almost total stagnation in an area where the Committee has solemnly agreed to negotiate, where three years of hard work have been put in, where the purpose of the exercise -- a total ban on a particular type of weapon of mass destruction -- is universally shared? Why does progress elude us in such a blatant, not to say scandalous manner?

Last year's proceedings were rendered difficult, and often halted, by the problem of linkage between the two related problems of the prohibition of radiological weapons proper and the prohibition of attacks on nuclear facilities. This year, by contrast, we have succeeded in postponing the final consideration of this issue, allowing two separate strands of negotiation to deal with the substantive merits of the two subject-matters. The linkage problem will undoubtedly re-emerge, but other difficult issues have been prominent during the current session. I do not purport to go into a detailed analysis of these various problems and the prospects for achievement or failure on each one. I would rather suggest, as the view of my delegation, that there have been three overriding obstacles which have contributed to stultifying this year's negotiating process.

In group A, two problems persist and seem to loom larger now than ever before. In the first place, a group of delegations wishes to use the future radiological weapons treaty as a platform for new, additional obligations on the part of nuclear-weapon States in the field of nuclear disarmament. Secondly, comprehensive

(Mr. Wegener, Federal Republic of Germany)

demands have been restated that the future convention contain an article providing for unencumbered access to nuclear technology in a broad sense, going far beyond radioactive materials and for new obligations on the part of technology-holding States in this respect. These demands extend far beyond the normal delineating clauses in similar treaties, where, corresponding to the scope of prohibition, it is routinely stated that the stipulations of the treaty do not affect normal peaceful uses and patterns of international co-operation. At the same time, the formulation of these demands betrays that there is hesitation on the part of some delegations to spell out the fact that the peaceful use of nuclear energy and radioactive materials should be fully consistent with the need to prevent the proliferation of nuclear weapons. On these two problems all compromise proposals in group A, stemming in part from last year, have been brushed aside and discussion has gone around in circles.

In group B, fundamental contradictions and mutually exclusive views persist as to the scope of prohibition and the purpose of the possible new legal instrument in this field. In seemingly endless rounds of discussion, some delegations have insisted that, quite apart from preventing the mass-destruction effects of possible attacks on dangerous nuclear facilities, the real purpose of a legal instrument should be the safeguarding and sanctuarizing of their total nuclear fuel cycle; while others have been adamant in demanding that the prohibition of attack must in an undifferentiated manner pertain both to civilian and military facilities, even including weapons systems.

My delegation, and I want to stress this, does not question the legitimacy of these demands or the desirability for those delegations which have put them forward to see them adopted and observed. Nor do I want to question, or even examine, the objective significance of these demands in terms of the national security perspective of the proponents.

Since, however, these demands have proven to be the main stumbling-blocks of our negotiations this year, and since there is not even a remote prospect for any consensus which would cover them in full, it would appear equally legitimate to my delegation to examine these three proposals from the view-point of negotiating methodology.

In this perspective the maintenance of the positions I have described seems to be at variance with the accepted tenets of multilateral negotiations in a twofold manner.

First negotiation, in my view, is a purposeful endeavour to reach a shared regulating objective by a gradual meeting of minds, a rational dialogue which aims at the maximization of collective interest, and the greatest possible consideration of individual interests in the attainment of the collective goals. But if multilateral treaty-making is a process of balancing out a variety of interests, then no participant in the negotiations can hope to prevail entirely

(Mr. Wegener, Federal Republic of Germany)

with his predetermined position. Negotiating would then seem to require a permanent disposition towards flexibility where national perspectives are constantly re-examined in the light of the progress of the negotiations. If that disposition is not present, and delegations persist in restating detailed positions that were fashioned years ago without any notable change, then the negotiations will degenerate into a very sterile and repetitious exercise, an external juxtaposition of views. This is, unfortunately, what we have seen in our radiological weapons negotiations this year. It is, therefore, important that we arrive at an intellectual discourse where arguments and interest positions of all sides are weighed and assigned their relative place.

In the same vein, it would be evident that each negotiation has its own internal logic. The scope of regulation of a treaty determines what one can reasonably expect to settle in the same defined negotiating context. In the case of the radiological weapons Working Group, the agenda item under which it has been established and the mandate which it has been given would seem to limit the exercise to the prohibition of one particular weapon of mass destruction, used directly or indirectly. In terms of negotiating methodology, it would therefore appear impracticable to use the radiological weapons treaty as a vehicle for extraneous subject-matters -- outside of the purview of these guiding documents -- only because it is thought that the bargaining situation is right. In the opinion of my delegation, this would imply that the radiological weapons convention is not the place to regulate access to nuclear technology in a broad sense, nor the place to establish new obligations in the field of nuclear disarmament, or to promote the development of civilian nuclear industry in its entirety free from any external threat. Let me elaborate a little upon the peaceful uses demands. Obviously, every treaty needs delineating clauses. A radiological weapons convention should certainly spell out that the existing uses of radioactive material which are not anywhere near the employment of such substances for hostile purposes should remain unaffected by the treaty. But it is a different thing to attempt the establishment of unrelated obligations in this field which may not even be in the competency of the Committee on Disarmament or may have little to do with disarmament itself. If one wishes to broaden access to certain forms of nuclear technology or to strengthen the obligation of technology-holders to contribute to this end, there would certainly be possibilities for intensifying co-operation through the IAEA in Vienna; one could bring one's voice to bear in the preparation of PUNE and work on the strengthening of certain principles in the general negotiating process on science and technology for development in the United Nations. The attempt to win battles on technology that are difficult to win elsewhere cannot succeed in this body. The same is true of the demands relating to nuclear disarmament. Again, this package is too heavy for the vehicle of our radiological weapons treaty. Logically, it is a difficult proposition to request from the nuclear-weapon States -- desirable and legitimate as this may seem by itself -- new obligations on nuclear explosive weapons at the same time as these weapons are expressly excluded from the scope of the treaty.

(Mr. Wegener, Federal Republic of Germany)

In pointing to the incompatibility of certain demands with these accepted tenets of negotiating methodology, I do not wish to lecture any delegation or claim to be the umpire or guardian of our rules of the game. I only wish to make clear -- in descriptive terms -- why certain positions have become the principal obstacles to the successful conclusion of our negotiations on radiological weapons. I have pointed to these incompatibilities because in the present context they appear to be particularly grave. It is generally agreed that the practical relevance of the interdiction of radiological weapons is limited and that the attention of the Committee should not be overly diverted by such a medium-priority item from other more important items. In this sense, last year, I spoke of the radiological weapons convention as "a perishable good" where a premium would seem to be placed on quick and purposeful action. Apart from the basic usefulness of having ticked off one more item on a list of potentially dangerous weapons to be banned for ever, the attraction of the rapid conclusion of a radiological weapons convention lies in the heightened credibility of the Committee on Disarmament. A successfully concluded convention, even on such a limited subject-matter, could contribute to the momentum of the multilateral disarmament process and could show that the Committee is able to act swiftly and diligently. The stagnation, more, the retrograde movement which we now witness, is by the same token a destroyer of credibility. The two deviations from accepted negotiating principles which I have described -- a lack of well-adapted instructions, and the saddling of the future treaty or treaties with extraneous demands -- are not only unfortunate because they will cost us time, but they may well in this sense be self-destructive. The present danger is that the negotiations may just fade away, that the perishable good will indeed perish. Those who want to overburden the treaty vehicle with extraneous demands would then be left without anything. There would be no treaty fulfilling a shared and relevant purpose, and there would be no satisfaction of their specific demands either. If the interest of other parties to a negotiation is overestimated, and one's own demand is formulated in the light of such exaggerated views, failure is certain to occur.

These are unfortunate prospects, and the danger is real. In the opinion of my delegation, however, it can still be averted. Taking a constructive view, I would like to make some suggestions as to how negotiations could possibly be invigorated, and a viable radiological weapons treaty -- both on the side of the "traditional" prohibition of radiological weapons, and on the nuclear facility side -- be elaborated in a relatively short time.

I would like to start from the premise that in both group A and group B there is a broad basic consensus on a good number of things. Those who have put forward collateral demands do not contest the desirability of what the majority of delegations favour, but they want something in addition. In group A, everybody has agreed that radiological weapons should be banned. In group B, there is a broad consensus that four or five categories of civilian nuclear facilities, including nuclear power reactors above a certain power threshold, should be protected from attack. These consensus views should be the starting point for treaty-making.

In group B, the different perspectives might be accommodated in a phase concept. In phase 1, the negotiations would pertain to the particularly dangerous civilian nuclear facilities on the protection of which a consensus exists. Full use could be made of the work accomplished during the last two years in this field. With the main controversial issue temporarily out of sight, the negotiations would probably proceed smoothly, and all could collaborate in a joint effort to provide for the speedy elimination of the admittedly greatest danger, the threat to civilian nuclear facilities with a substantial mass destruction potential.

(Mr. Wegener, Federal Republic of Germany)

In a second phase, the protection of additional installations could be envisaged, as recommended by a number of delegations. There would be an agreement that those delegations which do not attach value to this additional exercise would not object to its being held within the framework of the Committee on Disarmament. It would, however, be possible for delegations not so inclined to abstain from active participation. While the number of effective participants might thus be smaller than in phase 1, there would not appear to be a difference in principle. Even in the present group B, at least one delegation remains absent, while not blocking the work of others, and some delegations have doubts as to their ultimate participation in formal negotiations. A tentative plan could be drawn up for the successive scheduling of the two strands of negotiations, phase 1 and phase 2.

As regards the "traditional" radiological weapons treaty matter, the process may be more difficult to organize as a staggered sequence. Here again, it would be desirable to proceed quickly with the negotiation of a prohibition treaty that would contain the normal delineating clause as to peaceful uses and, preferably in the preamble as part of the general environment in which the treaty is concluded, a proviso recalling the existing obligations of States parties in the field of nuclear disarmament. Such a treaty, to be sure, would not fulfil the aspiration of a number of countries in these two areas, and their demands would have to be dealt with in a different fashion. However, those members of the Committee who have additional wishes would, following the model of the ENMOD Convention, even in the absence of a complete consensus not object to the treaty being forwarded at the appropriate time, once the "linkage" problem is solved. One could think of a joint undertaking to be given by all members of the Committee at the conclusion of negotiations on this treaty text, that the additional demands put forward by a group of delegations should be dealt with bona fide and on their merits, but outside of the formal negotiating process. The Committee could, for instance, agree to suitably broaden the mandate of the radiological weapons Working Group to have a full-fledged discussion of remaining issues of access to nuclear technology, in the context of the radiological weapons subject-matter, with a view to facilitating their consideration, in part by the member States of the Committee to which the demands are addressed, in part by other, more competent international organizations. As regards future additional commitments in the field of nuclear disarmament, this would seem in any event to be lodged under agenda item 2 of the Committee's agenda and should be given appropriate and heightened treatment in that context. It would be important that those members of the Committee, who would in this scenario allow the radiological weapons treaty to go forward, notwithstanding their own farther-reaching perspectives, would obtain an acknowledgement of the seriousness of their particular concerns and a procedural compensation allowing them to pursue their aspirations further in an appropriate framework.

These are initial ideas on how the current stalemate in the radiological weapons field might be overcome. They appear to be pertinent at a time when many delegations doubt even the usefulness of re-establishing the radiological weapons Working Group next year and are disenchanted with a process which has seemed so futile this year. My delegation would wish that others join in an earnest search for appropriate methods to instil new hope in these negotiations. That would help to enhance the credibility of our negotiation process and, in full recognition of the limited significance of the radiological weapons subject-matter, provide momentum for arms control in general.

(Mr. Ramaker, Netherlands)

One item on our agenda over the years has certainly matured to a point where fruitful negotiations have become a real possibility. I am referring to efforts of this Committee to bring about a treaty prohibiting radiological weapons. We will have to solve in one way or another the problem of the linkage between the two main elements of the subject-matter, radiological weapons in the traditional sense of the word and a prohibition of attacks on nuclear facilities, aimed at releasing huge quantities of radioactive material. My delegation continues to attach much value to this important linkage. During this session we have seen that negotiations on the former element--traditional radiological weapons--seemed to make headway. The Committee owes this in particular to the untiring efforts of the co-ordinator of contact group A, Mr. Busby, who systematically and relentlessly, through a process of intense consultations, tried, where possible, to accommodate the views of delegations, and where this turned out to be impossible, to reflect accurately and truthfully the remaining divergences.

In my delegation's view--and this is without prejudice to our position as to the substance of this issue--the proceedings in sub-group A clearly indicated that this Committee can function efficiently. It is therefore a source of great disappointment to my delegation that the end-product of all these efforts, as contained in a conference room paper, document CD/RW/CRP.20/Rev.1, gained no status other than that of a Chairman's paper. My delegation does not doubt the sincerity of the concerns and aims of those delegations which did not wish to associate themselves with a different and more positive outcome, but it feels strongly that these concerns were quite out of place in the context of a radiological weapons treaty. Unless these delegations proceed in the coming months to a fundamental reassessment of their position on this point, it is difficult for my delegation to imagine in what way this Committee can usefully continue its efforts in this field next year.

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The CHAIRMAN (translated from Spanish): I thank the Chairman of the Ad Hoc Working Group on a Nuclear Test Ban for his statement introducing the report of that Group. I now give the floor to the representative of Sweden, Ambassador Ekéus, who will introduce the report of the Ad Hoc Working Group on Radiological Weapons on behalf of its Chairman, Ambassador Lidgard.

Mr. EKEUS (Sweden): Thank you very much for giving me the floor. As you mentioned yourself I will introduce the report of the Ad Hoc Working Group on Radiological Weapons on behalf of the Group's Chairman, Ambassador Lidgard, who has had to leave early in order to take up other duties.

The Ad Hoc Working Group on Radiological Weapons decided this year, at the suggestion of the Chairman, to establish two subgroups called Group A and Group B. Group A was to consider the subject of radiological weapons in the so-called traditional sense, while Group B would deal with the question of prohibition of attack against nuclear facilities.

(Mr. Ekeus, Sweden)

Mr. Busby of the United States delegation undertook to act as co-ordinator of Group A, while Mr. Nazarkin of the Soviet delegation assumed the same task for Group B. Mr. Nazarkin was succeeded as co-ordinator in the second part of this year's session — what we normally call the summer session — by Mr. Prokofiev of the same delegation.

The time available in the first part of this session was, as we all know, short, but the two Groups began over-all consideration of the two issues allotted to them. This more general discussion continued in the Groups for a short time at the beginning of the second part of the session. But after that they successively entered into three-week-long periods of intensive discussions. Group A began, followed by Group B.

The Working Group has discussed in plenary the question of linkage between the so-called traditional radiological weapons and the prohibition of attacks against nuclear facilities. This issue was debated only after both Groups had completed their intensive work periods.

All other issues of substance were considered in the two Groups. It would be going too far to enter into all the details, but it may be mentioned that Group A had to deal with questions like "definition", "peaceful uses" and "compliance and verification". Group B particularly discussed the "scope" of a prohibition, also in a broader sense of that term. The report of the Ad Hoc Working Group (CD/414) reflects the particulars of these discussions.

Groups A and B reviewed very thoroughly the subjects that fell within their respective mandates. These are complex, which, no doubt, is one of the reasons that progress towards consensus was limited in both Groups. However, it is the impression of the Chairman of the Ad Hoc Working Group that knowledge of the issues, including their details, and also of the positions of delegations has increased considerably during this year's session. A good basis has been laid for further work in the 1984 session of the Committee. If the Committee now follows the recommendation of the Ad Hoc Working Group, it will, at the beginning of its 1984 session, re-establish the Working Group and in that context consider the prospects for progress in the work of the Group.

Mr. Chairman, it is my pleasure to pay tribute to the co-ordinators of Groups A and B, Mr. Busby for the first-mentioned Group, and Mr. Nazarkin and Mr. Prokofiev for Group B. They have devoted themselves to their tasks with admirable skill and, not least, patience. They have contributed decisively to the great utility of the deliberations of their respective Groups. On behalf of the Chairman of the Ad Hoc Working Group I express deep gratitude to these three outstanding diplomats. I venture to suggest that the Committee on Disarmament also stands in debt to them for their tireless efforts, ultimately on its behalf.

Finally, Mr. Chairman, I will certainly not neglect to express thanks to the staff of the Secretariat. It has become customary to do so because of the outstanding quality they manifest year after year: skill, devotion to duty and judgement. Special mention must be made of Mr. Lin, who, as secretary of the Working Group, with his knowledge and experience, greatly contributed to the successful conclusion of its work.

(Mr. Ahmad, Pakistan)

The negotiation of a treaty on radiological weapons is a subject both misunderstood and misinterpreted. It is asked: "Why does progress elude us in a blatant, not to say scandalous, manner?" Before I proceed to answer this question I wish to express my own bewilderment at the absence of similar questioning about the CTBT, cessation of the nuclear arms race and prevention of nuclear war, negative security assurances, and the Comprehensive Programme of Disarmament; all issues of higher priority than the prohibition of the non-existing radiological weapons. Is it that some of us wish to compensate for lack of political will to negotiate on these questions with a cosmetic radiological weapons treaty and present it to the world as evidence of "the momentum of the multilateral disarmament progress" to which they are "diligently" contributing in the Committee? In our view the Committee's image will suffer greatly if it were to hastily conclude a radiological weapons treaty merely to give a facade of progress. It can have intrinsic value only with a clear reiteration of commitments to nuclear disarmament and to peaceful uses of nuclear technology. The inclusion of these provisions at any rate is an issue which in our view is not unresolvable. But we are of the firm opinion that an agreement on the substance of the proposed treaty can only be reached in the light of: (i) the recognition of the fact that attacks on nuclear facilities are the most practical form that radiological warfare can take; and (ii) a demonstration of the political will to substantively negotiate on a prohibition of such attacks, in the Committee on Disarmament.

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(Mr. Cromartie, United Kingdom)

Turning to radiological weapons, my delegation is very disappointed at the lack of progress. In an attempt to speed up matters the Working Group agreed to set up separate co-ordination groups to deal with what we have come to call the "traditional radiological weapons treaty", and the prohibition of attacks on nuclear facilities. The work in these two groups was ably and energetically led by Mr. Busby of the United States delegation and Mr. Prokofiev of the Soviet delegation, and I wish to pay tribute to both of them. Mr. Busby exerted the greatest efforts to break through the difficulties, which, for years, had surrounded the negotiations of a treaty on radiological weapons; and he has succeeded in producing a text which, we believe, would provide a good basis for further negotiations, even though we have reservations about a number of the suggestions which it contains. It is the view of my delegation that agreement could quickly be reached on such a treaty if we were to concentrate on essentials: but we shall not do so if some delegations continue to insist on trying to solve, in this context, problems which we have not been able to solve elsewhere, and which have slight, if any, genuine connection with the subject-matter of the treaty.

My delegation is also disappointed at the outcome of the work on prohibition of attacks on nuclear facilities. Once again, a small group of delegations has continued to insist that a prohibition must be all-embracing, in spite of the fact, which must be as obvious to them as it is to us, that such an all-embracing prohibition could neither be practically implemented nor theoretically justified. As a result, no progress has been made this year, and none is likely to be made until there is agreement on the general principles on which a future legal instrument could be based.

(Mr. Sadleir, Australia)

Frankly, I have to say we are disappointed at the lack of progress made on both "tracks" of the radiological weapons issue. On the traditional track there would appear, on an objective assessment, to be no barriers to the quick conclusion of a convention. The Committee as a body has recognized the merits of a radiological weapons treaty by placing the item on its agenda. Delegations have negotiated long and hard on it since the inception of the Committee. As an arms control measure, a radiological weapons treaty will, however, be a thin achievement — so thin that it will not bear the weight of extraneous loads that some delegations wish to bring to bear on it. A treaty on this subject cannot be expected to resolve differences amongst us over the peaceful uses of nuclear energy and over nuclear disarmament. No delegation is prepared to pay such a price for such a treaty. In 1984 the Committee should in our view, seek a quick bare-bones approach to the radiological weapons treaty and dispatch it before it damages further the standing of this body.

On the nuclear facilities issue, Australia is ready to commence negotiations and urges those who have yet to decide on the merits of the issue to reach a decision soon. While the negotiation of such a convention will be complex, the need for added protection for civilian nuclear facilities is itself clear-cut, especially in view of the shortcomings of the 1977 Protocols to the Geneva Conventions. We see no harm in the Committee bolstering the provisions of those Protocols during the long haul towards their entry into force.

(Mr. Fields, United States)

Now let me address the subject of radiological weapons. My delegation had the honour during 1983 to co-ordinate the work of Group A of the Radiological Weapons Working Group. That Group was entrusted with what has become known as the traditional radiological weapons subject matter. Significant progress was made during this session; however, it was largely procedural in nature. The intensive negotiations held by Mr. Busby and the considerable efforts of others should have produced more substantive gains. We should ask ourselves why this is the case. After all, we have now spent four years in multilateral negotiations on this subject. The prohibitions and other operative provisions are not difficult, nor would they cause major adjustments in the national security posture of any State represented in the Committee.

But a radiological weapons treaty is not, by virtue of these considerations, irrelevant. It is well known that my Government, some three decades ago, invested considerable effort and money in a serious investigation of radiological weapons. And, on one occasion during this period, a senior military commander in the field raised the possibility of laying down barriers of radioactive waste material across the major supply lines of an adversary. These matters were not pursued to the point that radiological weapons were actually developed, produced, or used, and consequently these weapons of mass destruction remain, as some delegations have termed them, "hypothetical". But in the past 30 years, as my delegation has pointed out before, the amount of radioactive material that could be put to weapons use has increased dramatically. Consequently, the United States believes strongly that there are genuine and significant security reasons for prohibiting such use and for negotiating provisions that protect radioactive material against its diversion to banned activities.

Regrettably, conclusion of a radiological weapons treaty remains hostage to a set of complex linkages which are related more to the character of this body than to the substance of the treaty itself. This is a matter of serious concern to my delegation. We must ask ourselves, are we prepared to negotiate limited measures which may fall short of the expectations of some of our members, or will we forever be putting aside the possible in the illusory pursuit of the perfect? The answers to these questions have an impact on the assessment of many Governments, including my own, as to whether this body is in fact an appropriate forum for serious arms-control initiatives.

Let me explain my concern.

My Government is convinced that a treaty prohibiting radiological weapons could be concluded with dispatch. But, at the same time, it appears impossible to negotiate it in the Committee. There are those who take the position that there will never be a radiological weapons treaty submitted to the General Assembly unless there is submitted at the same time a treaty on the prohibition of attacks on nuclear facilities. In a consensus body that position, even if held by only one delegation, is definitive of what is possible.

So what are the chances of success?

We should look at what has become known as Track B. As is well known, with the exception of excluding such things as nuclear-powered warships from consideration, the issues are as yet undefined, and there may be differences of

(Mr. Fields, United States)

view which are perhaps wider than had been thought before. Consequently, a great deal of work remains to be done even to arrive at a widely-shared understanding of the problem. In fact, the situation may be even more bleak. There are delegations among us who take the position that the Committee on Disarmament is not competent to deal with the material entrusted to Group B. Indeed, at least one delegation does not even participate in its meetings.

My colleagues, the time has come for us to face reality. Let us not continue to delude ourselves and the world community by pretending that we are making progress when, in fact, none is possible until we collectively decide to go forward.

There is another "linkage". Some delegations from the Group of 21 take the view that, even if a prohibition on attacks against nuclear facilities were to be concluded, a treaty prohibiting radiological weapons still would not be appropriate for the Committee on Disarmament. These delegations maintain that the most pressing issue facing the world today, and therefore facing the Committee, is nuclear disarmament and that, if the Committee is to be seen as a relevant body, it must conclude as a first endeavour a treaty dealing with nuclear disarmament.

How many of us here today believe that view to be realistic in the short term? There is no more complex issue facing the world today. My Government is sparing no effort to arrive at a solution in both the START and INF negotiations which will achieve a positive outcome. But should we hold all other progress hostage to these complicated deliberations? Delegations who hold this view are presenting us with a situation which is "all or nothing" and, therefore, preventing progress from being made on more limited measures which could contribute measurably to the security of all of us. I do not, in speaking frankly as I have, mean to deride the position of any delegation or any group, but I think it is a fair question to ask whether we are to continue along the same lines year after year pretending to make progress where none is possible. We should have a very frank and open discussion regarding these issues, which manifest themselves most apparently in the field of radiological weapons, but which are, I suspect, present in other areas of our endeavour as well. My delegation intends to raise this issue when we return in 1984.

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(Mr. Alessi, Italy)

The conclusion of a treaty on radiological weapons has up till now been impossible because complex problems concerning both the nature of our negotiating body as well as the substance of the problems pending have been bound up together. Last year we took our efforts as far as we could; each delegation now knows the extent of the compromises which can be made. However much one may wish to pad out a treaty which looks too slim, one cannot try to resolve in it problems that are only indirectly within its scope which it has not been possible to solve elsewhere.

With regard to the protection of nuclear facilities against attacks much work remains to be done before even achieving any widely-shared view of the scope of the measures to be negotiated; my delegation is ready to undertake that work here, without, however, rigidly linking it to the so-called "traditional" treaty which has reached an incomparably more advanced stage.

The conclusions and recommendations arrived at by the working group last year provide a basis for starting off again with fresh impetus. Once the Ad Hcc Working Group on Radiological Weapons has been re-established, a frank debate on the best means of progressing in this sphere, as the 1983 report recommends, seems essential.

(Mr. Luce, United Kingdom)

Rapid agreement should however be possible on a Radiological Weapons Treaty. My Government has been disappointed to see how little progress has been made in four years of negotiation in the Committee on Disarmament. A Radiological Weapons Treaty would perhaps be only a modest step forward but it would be one with a definite place in a corpus of arms control agreements. Unfortunately the drafts which have been prepared in each of the last three years have been rejected by a small group of delegations. We would see little point in repeating once again the same sterile exercise of negotiating detailed language unless we see evidence of a new attitude and a new approach to this subject. We hope that the Conference will provide the Working Group with advice as to the ways in which progress could best be achieved.

One major difficulty has been the linkage made between a Radiological Weapons Treaty and the prohibition of attacks on nuclear facilities. We do not accept that a convincing case has been made that the latter subject should be dealt with in the same instrument as a ban on radiological weapons; it should instead be studied on its own merits. In the first instance it seems to us that we should concentrate on an attempt to define further those types of nuclear facilities to which any prohibition might apply. We have given some thought to the possibility that existing international legislation might give us some guidance and at an appropriate time the United Kingdom delegation hopes to put forward some suggestions in this regard. We hope that these suggestions will be regarded as a positive contribution to this debate.

(Mr. Berg, Norway)

It is the opinion of the Norwegian Government also that the time has now come to finalize a convention on radiological weapons. Such a convention would be a limited, but nevertheless welcome arms-control measure. In the current international climate, such a convention would have a positive effect on the multilateral disarmament process. The Norwegian Government believes that a radiological weapons convention can be based on the joint USSR-United States proposal of July 1979 and on the results of subsequent negotiations in this Conference.

The prohibition of attacks on civilian nuclear facilities is another issue that should be vigorously pursued. The conclusion of a radiological weapons convention must not lessen our resolve to make progress also on this question.

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(Mr. Ahmad, Pakistan)

May I now turn briefly to the question of radiological weapons. I would like to state first of all that my delegation is not opposed to the conclusion of a legally binding international instrument prohibiting the so-called radiological weapons. Having said that, I must express my delegation's perplexity at the pre-eminence being accorded to this subject at the expense of such questions as the NTB, cessation of the nuclear-arms race and prevention of nuclear war. A distinguished colleague, while informing us of the significance attached by his delegation to the prohibition of radiological weapons, stated inter alia, "if we can but save one future life by taking what to some may appear to be an unimportant step now, are we not thereby being faithful to our duty"? I fully share this sentiment. For me it encompasses first and foremost the abolition of nuclear weapons and the prevention of mass death and destruction from radiation. My delegation's position on the question of radiological weapons rests on the premise, uncontested so far, that for the present, attacks on nuclear facilities constitute the only concrete form that radiological warfare can take and that the issue of eliminating the possibility of such attacks must, therefore, be settled within or along with a future radiological weapons convention.

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Mrs. THEORIN (Sweden)

Five years ago the United States and the Soviet Union submitted identical draft treaties on Radiological Weapons entitled "Joint USSR-USA proposal on major elements of a treaty prohibiting the development, production, stockpiling and use of radiological weapons".

Since 1979 the deliberations on a treaty prohibiting radiological warfare are being carried out at the Conference on Disarmament.

(Mrs. Theorin, Sweden)

Last year exploratory discussions and negotiations were carried out in the Ad Hoc Working Group both on prohibiting development and production of radiological weapons and on the prohibition of radiological warfare in the form of attacks on nuclear energy facilities.

Sweden is prepared to participate actively in negotiations on both tracks.

Radiological weapons as such do not exist in the present. This fact provides us with an opportunity to negotiate a model convention on the prohibition of possible future means of warfare. Such a convention should contain provisions on concrete measures to halt research and development of new weapon systems and even weapon concepts. Our goal should be to reach provisions that are more ambitious than those developed in the Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques (ENMOD).

My delegation would, in a spirit to facilitate the work on track A, like to reiterate a proposal, presented in the Ad Hoc Working Group in June last year for a formula for a positive definition on the concept of radiological weapons that in our view solves the problem of not legitimizing nuclear weapons.

Sweden is working on the problem of delimiting the concept of radiological weapons from that of particle-beam weapons not having mass destruction effects and based on the principle of accelerated radioactivity.

As to track A verification, we think that safeguarding the relatively few deposits of radioactive material that are large enough to be significant as potential sources for production of radiological weapons, should such weapons ever be produced, would be a relatively simple one. The experience gained regarding international safeguards aimed at preventing diversion of material from peaceful uses to weapons is considerable.

The most powerful means of conducting radiological warfare is an attack on nuclear facilities. Let me give you a few examples.

The radioactive effects of an attack on an ordinary power reactor could cause immediate effects comparable to the fall-out from a 20 kT nuclear-weapon surface explosion, while the long-term radioactive effects could be in orders of magnitude more severe than those for a nuclear explosion. It would be noted in this connection that the production rate of radioactive substances in a 1 000 MW nuclear electrical generating station is equal to that of one 60 kT atomic bomb every day. After some time of operation, the core of such a reactor is very dangerous indeed, if brought into the open.

Although only rather modest amounts of short-lived compounds would emanate from the burnt out reactor a substantial amount of long-lived compounds would be released, which would contaminate and render uninhabitable a considerable area for decades.

If an attack is carried out with a nuclear weapon the effects will be disastrous. Immense driving force for dispersal of radioactive substances would be added by the nuclear explosion. The radioactivity contained in the reactor would also be added to the radioactivity produced by the bomb itself.

(Mrs. Theorin, Sweden)

The reactor contains relatively small amounts of short-lived radioactivity and would only contribute modestly to the total dose rate during the first week after the detonation. However, the amounts of the more long-lived compounds are very substantial in the reactor and after only one week the radioactivity that emanates from the burnt-out reactor would overshadow the radioactivity of the bomb itself.

If a one-megaton bomb is detonated, the area affected by a radiation dose exceeding 100 rads would be some 2,000 square kilometres. If the same bomb hits a nuclear reactor of 1,000 megawatt — a common size — the area affected by the same radiation dose of 100 rads perimeter would encompass an about 20 times larger area or about 30 to 40,000 square kilometres! The consequences of a nuclear bomb explosion on a storage tank could be even more disastrous and result in doses exceeding 100 rads in an area of more than 50,000 square kilometres.

It is thus quite obvious that the damage inflicted on countries where many reactors are in operation and many more are being built or planned would be disastrous indeed. Attacks on nuclear facilities would make practically the whole of these and neighbouring countries uninhabitable for years or decades.

Attacks on nuclear facilities involve risks for mass destruction in many countries where such facilities exist and in neighbouring countries as well. These risks exist right now. I do not have to remind anyone here that this is a means of warfare that does not necessarily require the possession of nuclear weapons on the part of the attacking side.

An agreement on the prohibition of attacks, including nuclear attacks on nuclear facilities should be simple and straightforward. Attacks on nuclear reactors, reprocessing facilities, spent fuel storages and waste deposits on land should be prohibited. My delegation will present a concrete proposal in these terms.

On the question of the link between tracks A and B, the Swedish position is rather flexible. Originally the Swedish delegation considered the track B proposal as a specification to draft article III in the United States/USSR proposal of 1979. But other solutions to secure the link are possible. Substance is more important than form.

(Mr. Beesley, Canada)

I propose now to comment very briefly on the question of radiological weapons. This issue, in which progress has long appeared possible, is one on which we seem to have shown a singular lack of imagination and commitment. The effort expended by successive chairmen of the Ad Hoc Committee on Radiological Weapons, and I single out as a particular example Ambassador Wegener of the Federal Republic of Germany, has been nothing short of prodigious. Last year, the Soviet Union and the United States chaired contact groups which attempted to reach consensus but ultimately fell short of the mark. I suggest that we should all review our positions with the objective of coming to an agreement and approving a draft treaty during the summer session. Let us consider the opportunities. First, it is an area in which the Soviet Union and the United States are in agreement, as indicated in their 1979 proposals. Surely this in itself is an important fact of life for this Conference. Secondly, a draft treaty would effectively ban a weapon system before it has been developed and deployed. Indeed, it would preclude the research and development of such a system. Finally, and of no small importance, it would give a psychological lift to the international community, which by all accounts not only needs but deserves it. We could provide a message of hope, where one is badly needed, and on a future-oriented problem which might contain lessons applicable to other issues.

We recognize that there are deeply-held convictions that the joint treaty of 1979 should deal with other aspects. While not disagreeing with those who argue that such other matters should be addressed, we suggest that such questions be addressed in subsequent negotiations. The Canadian delegation supports a review of the issues pertaining directly to radiological weapons with the objective of simplifying the negotiating process. Indeed, we could agree to a draft based on the original 1979 submission. It is in fact an embarrassment to us and, we suggest, to the Conference, that this relatively straightforward issue should remain unresolved. It would serve us all well to remove radiological weapons from our agenda by reaching consensus on a draft treaty. This would permit us, in turn, to focus our attention on other substantive issues.

(Mr. Vejvoda, Czechoslovakia)

I would also like to say a few words on the activity of the Ad Hoc Committee on Radiological Weapons. As this year's Chairman of that subsidiary body which we managed to re-establish only at the end of the spring part of the session, I intended to make maximum use of the time remaining for substantive work in line with the practice of last year when the prohibition of radiological weapons and the protection of nuclear facilities were discussed in two separate groups. However, right from the beginning of the summer part of the session the problem of the so-called linkage came into focus again and brought with it a number of organizational problems. We have finally decided not to create two working groups and to work within the plenary of the Ad Hoc Committee, but we still have to reach agreement on the framework within which we should address the two problems. In spite of these procedural difficulties we succeeded in dedicating several meetings to substantive work. Two new documents were introduced by the delegations of Sweden and the United Kingdom, respectively, and a first exchange of views on these documents was undertaken.

Apart from the position of my delegation, to which I shall refer later, as Chairman of the Ad Hoc Committee I would very much prefer if we could consider the problem of the prohibition of radiological weapons and that of the protection of nuclear facilities separately, on their own merits. It would give us a chance to take up where we stopped last year and to make use of the results of the last two years of activity in this field. I realize that these results were not very impressive, but at least a number of problems were clarified which could create a basis for further efforts to solve these two problems. I am interested in organizing our work so that each delegation is free to express itself on all problems it deems relevant to the subject-matter. I would, however, prefer to have a structured discussion so that at the end of the session we see clearly where we stand. Some interesting proposals for our programme of work were advanced recently, and it is my intention to find out at the next meeting of the Ad Hoc Committee whether they could meet with consensus.

As for the position of my delegation on the problem, it proceeds from the fact that the prohibition of radiological weapons is a question of a basically different nature than that of the protection of nuclear facilities. These two important problems differ as far as technical nature as well as military and legal background are concerned. Within the prohibition of radiological weapons we shall take into account the possibility of creating concrete weapons in the full sense of the word. They would comprise radioactive material with an optimum half-life of decay, which has to be produced and stored, as well as the necessary munitions, devices and equipment which would also have to be produced and stored. The final weapons could hypothetically be prepared for use, transported and used. All these characteristics render the question of the prohibition of radiological weapons a typical disarmament problem with a possibility for appropriate verification measures.

On the other hand, the prohibition of attacks against nuclear facilities is of a different nature, since it amounts only to a problem of non-use of force against certain objects or installations. Since there is no possibility of applying the same measures of compliance and verification to the prohibition of radiological weapons as well as to the material and technical pre-conditions of a possible attack against nuclear facilities, the latter problem should be treated with a completely different approach.

Mr. CROMARTIE (United Kingdom): Mr. President, my statement on 12 July was devoted to chemical weapons. This morning I wish to anticipate next week's agenda item by devoting my statement principally to New Weapons of Mass Destruction and Radiological Weapons. I intend, however, also to touch upon some other items on our agenda for this session.

My Government's view on the question of new weapons of mass destruction is well known. We have repeatedly stated, both here and at the United Nations, that the British Government believes that it would be most serious and regrettable if any new kinds of weapons of mass destruction were invented and deployed for use. But my delegation has noted, as others will have done, that although this subject has been on our agenda for many years no substantial evidence of any kind has been put forward to indicate that there are new types of weapons of mass destruction in prospect. There has been no solidly-based proposal for the prohibition of any specific kind of new weapon of mass destruction. In the absence of such a proposal, my delegation continues to oppose the negotiation of a comprehensive agreement on what would still be a hypothetical subject matter. Disarmament treaties need to be specific in scope and susceptible of verification if they are to command international confidence. A comprehensive agreement dealing with unspecified new weapons of mass destruction could not fulfil these requirements. Furthermore, the United Kingdom delegation made clear, as long ago as 1980 (CD/PV.81) that they saw no justification for the establishment of an expert group on this subject, in the absence of the identification of any new weapons of mass destruction or of the principles on which any new weapon of mass destruction might be based. No evidence has been produced since that time which inclines us to change this view. Many other delegations hold similar views.

It was therefore a matter of surprise to us that a group of socialist States should propose at the beginning of this year, in document CD/434, that an Ad Hoc Committee should be set up to deal not only with radiological weapons, according to well-established precedent, but also to negotiate with a view to preparing a draft comprehensive agreement in this field. Nothing, to our knowledge, had occurred which could lead any delegation to believe that such a proposal was more acceptable now than it had been in earlier years. The only result of this manoeuvre was to delay the setting up of the Ad Hoc Committee on Radiological Weapons until it was too late to embark on substantive work in the first half of our 1984 session. The responsibility for this delay must clearly rest with those delegations who made, and persisted with, this proposal to enlarge a hitherto uncontroversial mandate.

When I spoke on 26 August last year, I made clear the disappointment of my delegation at the lack of progress in the negotiations on radiological weapons during 1983. The intensive negotiations which were conducted in the Working Group last year did not result in an agreement on what we have to come to call the "traditional" radiological weapons treaty; and the discussion of the prohibition of attacks on nuclear facilities made no sensible progress towards any agreement on the general principles of which a future legal instrument might be based. We had hoped that the Conference would give guidance, as the Working Group's report put it, on "how best to make progress on the subject matter". This guidance was not, however, provided by the Conference, and our hopes of making systematic progress were further dashed by the procedural wrangle which marred the start of the Ad Hoc Committee's work. This procedural difficulty was emphasized by the introduction by the Swedish delegation of a draft treaty which once more concentrated attention on the question

(Mr. Cromartie, United Kingdom)

of the linkage between the traditional radiological weapons treaty and the prohibition of attacks on nuclear facilities. Work was consequently delayed while one group of delegates argued that we should continue our work on the previously accepted lines, with a clear division between the two subjects, and others called for them to be treated together. My delegation, with others, pleaded for a practical, not an ideological, approach. We were ready to accept whatever the Chairman of the Ad Hoc Committee, Ambassador Vejvoda, thought most appropriate. The programme of work finally adopted, is however, in our view, an unhappy compromise which, as has become only too evident, renders it difficult to conduct a systematic discussion of the problems before the Ad Hoc Committee. The Ad Hoc Committee on Radiological Weapons has so far this year concentrated very largely on the questions of definition and scope. As one delegation has ruefully remarked, the passage of time has not eased our difficulties. Much of the discussion has repeated views put forward in earlier years, and there has been little evidence of readiness to seek pragmatic solutions. The Swedish draft treaty has been presented by its authors as "an honest attempt to find compromise solutions which could be acceptable to all". But it is already clear that many delegations do not see a draft whose basic approach is to set the two tracks firmly in the context of a single legal instrument as a basis for compromise. The Swedish delegation has proposed a single criterion -- that of so-called "mass destruction" -- for the selection of nuclear facilities to be covered by any prohibition and in setting lower limits to the size of these facilities. Members of the Group of 21 have supported the general approach of the Swedish draft, but they have not shown themselves ready to support the draft in detail. For example some have continued to argue that "all nuclear facilities" should be included in the scope of any prohibition. As I said last year the all-embracing prohibition which such a statement implies could neither be practically implemented nor theoretically justified.

We cannot expect a great deal of progress in the limited time that now remains to us this year. But in my delegation's view the time would be well spent, and we could have something worthwhile to report, if we could firstly reach agreement in principle on the criteria which would apply in determining which facilities should be protected from attack; and, secondly, on the basis of those criteria, a list of the categories of facilities which might fall within the scope of any prohibition. My delegation is ready to join in such discussions without prejudice to our basic position as set out in earlier working papers (CD/374, CD/RW/WP.47). As a model for the type of definition which is needed my delegation has already drawn attention to the Convention on Third Party Liability in the Field of Nuclear Energy (CD/RW/WP.53).

Agreement on these two basic points could provide a foundation for further work but many other problems remain. The Swedish draft treaty proposes, by implication, that attacks on all nuclear facilities falling within their definition should be prohibited even if these facilities are used for military purposes. Other delegations have continued to argue that only civil facilities should be covered; in this connection there is no consensus on the role which the IAEA might play. The Swedish draft treaty does not deal with the question of the physical marking of facilities or delimitation of zones of protection, to which some delegations have

(Mr. Cromartie, United Kingdom)

attached importance. Indeed in this respect the Swedish draft treaty amounts to little more than an extension to a wider range of installations of the prohibitions already contained in the Additional Protocol to the Geneva Conventions.

My delegation continues to doubt whether it is either practical or desirable to continue to attempt to combine the two subjects of radiological weapons in the traditional sense and prohibition of attacks on nuclear facilities in a single legal instrument. We set out the reasons for these doubts fully in an earlier paper (CD/374), and no arguments to the contrary have been advanced since then which seem to us convincing. But continuing argument over form will not promote a solution to our difficulties. We should instead concentrate on the building blocks both of a treaty to ban radiological weapons and on a possible prohibition of attacks on nuclear facilities. Only by systematic stage-by-stage examination of each element, untrammelled by preconceptions as to the final form, can we expect to make progress.

The PRESIDENT (translated from Russian): The 277th plenary meeting of the Conference on Disarmament is called to order. The Conference today takes up the consideration of item 7 of its agenda, entitled "New types of weapons of mass destruction and new systems of such weapons; radiological weapons". However, in accordance with rule 30 of the rules of procedure any member may raise any subject relevant to the work of the Conference. The indicative time-table for this week included the possibility of holding an informal meeting today after the conclusion of the plenary meeting. At the request of a number of delegations, and bearing in mind that today the representative of the Soviet Union is concluding his presidency, I do not intend to hold an informal meeting. The list of speakers for today includes the representatives of Sweden, Burma, India, Venezuela and Mexico. I now give the floor to the representative of Sweden, Ambassador Ekéus.

Mr. EKEUS (Sweden): Thank you Mr. President. May I, at this late stage in our work for the month, congratulate you on your assumption of the Presidency of the Conference on Disarmament, and also express the appreciation of my delegation for your skill and energy in the performance of your duties, as well as for the good humour and spirit you have brought to this past month. May I also, through you, Mr. President, express thanks for the kind words directed to my delegation with regards to the Presidency of Sweden for the month of June.

Mr. President, the item on this week's agenda is, as you just mentioned, "New types of weapons of mass destruction and new systems of such weapons; radiological weapons", and it is on this item that I wish to speak today.

In 1979 the Soviet Union and the United States of America presented a joint draft treaty prohibiting radiological weapons and in June 1980 Sweden proposed that the scope of the draft treaty should be broadened to include also the prohibition of radiological warfare (CD/RW/WP.6). The negotiations have since then reached a certain impasse and during the last year or so progress has been very limited and in some respects practically non-existent. This has particularly been the case as regards the issues falling within the scope of what has generally been called Track B, i.e. the prohibition of attacks on nuclear facilities.

A few days ago, on 26 July, the distinguished representative of the United Kingdom expressed his disappointment at the lack of progress in the negotiations on radiological weapons during 1985. This disappointment is fully shared by Sweden. Furthermore, this negative trend was worsened during the spring part of the session this year when no negotiations at all took place on this issue. What became most important at this juncture was to bring about serious negotiations on all aspects of the substance.

The very essence of the word negotiation implies that we have to come to terms with our differences, that we must continuously evaluate and re-evaluate our positions and try to give in order to get. Not only are there considerable differences between delegations on substance but the very process of negotiations, the interplay between give and take, has been hampered by the fact that the issues falling under Track A, i.e. radiological weapons in the traditional sense, have been dealt with separately from those of Track B. My delegation therefore felt, and still feels, that the two aspects of the issue should be negotiated within one and the same framework -- or neither of the two aspects are likely to

(Mr. Ekéus, Sweden)

find their solutions. Nobody can really know today if the final result of such negotiations will emerge in the form of one or two legal instruments since our negotiations have simply not reached a stage where a clear picture of this question is at hand. It is therefore not without concern that the Swedish delegation notes that some delegations continue to be preoccupied with the possible final form rather than with the substantive content of an agreement or agreements. Actually I think that such a preoccupation serves no other purpose than to divert us from our true task, that of negotiating solutions to the problems.

In order to break the impasse Sweden endeavoured to elaborate some compromise text proposals which we hoped would serve to bring us back to negotiating on substance. These proposals were presented in document CD/RW/WP.52, dated 18 June 1984. This Working Paper was intended as a possible basis for compromises on all sides and it addresses some of the major still outstanding issues where, as we see it, little or no progress has been made during the last year. One such major issue is the question of prohibiting attacks on nuclear facilities.

In the course of the last month and a half, a great number of interesting and important questions have been raised with my delegation as a result of the abovementioned Working Paper CD/RW/WP.52, and most of them have been or are being dealt with in the Ad Hoc Committee on Radiological Weapons. Some of those questions merit the attention of the whole Conference and I wish to use this opportunity to reflect a little on them.

The first and foremost question that must be addressed is: What is the aim of the treaty or treaties which we are trying to elaborate in the Ad Hoc Committee on Radiological Weapons? In this context we might be well served by reminding ourselves that the Committee has been set up under an agenda item entitled "New types of weapons of mass destruction and new systems of such weapons; radiological weapons". A definition of weapons of mass destruction was given already in 1948 in resolution S/C.5/30 of the Commission for Conventional Armaments set up under the United Nations Security Council. "Radioactive material weapons" was then defined as a weapon of mass destruction. Other such weapons were "atomic explosive weapons, lethal chemical and biological weapons and any weapons developed in the future which have characteristics comparable in destructive effect to those of the atomic bomb or other weapons mentioned above".

The specific question of radiological weapons was then for the first time raised at the twenty-fourth session of the General Assembly in 1969 which, in resolution 2602 (XXIV) invited the Conference of the Committee on Disarmament inter alia to consider effective methods of control against the use of radioactive methods of warfare conducted independently of nuclear disarmament. Now, in dealing with this agenda item, the main aim, as the Swedish delegation sees it should be to prohibit radiologically caused mass destruction. Therefore in Article I:1 of the Swedish Working Paper it is proposed that the use of radioactive material for hostile purposes causing destruction damage or injury by means of the radiation produced by the decay of such material should be prohibited irrespective of the method applied. The two methods so far discussed in the Committee are that of using actual radiological weapons and that of attacking nuclear facilities. From a mass destruction point of view it matters little if the radioactive material used is produced by the attacker or if it already exists in the country of the attacked.

(Mr. Ekéus, Sweden)

As regards the question of prohibiting attacks on nuclear facilities, some delegations argue that adequate protection is already given in the 1977 Additional Protocols to the Geneva Conventions on the laws of war. For the reasons elaborated on a number of times by the Swedish delegation we do not think that it is so. Not all kinds of dangerous installations of the nuclear fuel cycle are covered, only "nuclear electrical generating stations" according to the Protocol. Furthermore, too much room is left for subjective assessments by individual commanders for the protection to be satisfactory. I would also like to draw attention to Protocol I, Article 56, point 6, in which the Protocol itself contains a recognition that the protection it grants is not complete. It reads: "The High Contracting Parties and the Parties to the conflict are urged to conclude further agreements among themselves to provide additional protection for objects containing dangerous forces". Furthermore, it is a sad fact that only a very small number of States have ratified the two Protocols. Protocol I, which is the one most commonly referred to in this context, has for example not yet been ratified by any of the members of the Conference on Disarmament belonging to the two military alliances. It could also be noted that it is usually those delegations which have not ratified the Additional Protocols which most eagerly argue that this is where the question of prohibiting attacks on nuclear facilities are or should be dealt with.

Other delegations hold the view that the aim of a prohibition of attacks on nuclear facilities should be to protect the nuclear installations themselves so as to ensure the safe development of nuclear energy. Ensuring the safe development of nuclear energy is as such a commendable undertaking which Sweden certainly could support. But no matter how great its desirability it is not a task for a disarmament body. Actually, arguing that the purpose of prohibiting attacks on nuclear facilities is to ensure the safe development of nuclear energy amounts in this context to nothing less than arguing that this question does not belong in the Conference on Disarmament. I even think that this is precisely the point those delegations wish to make. However, as my delegation sees it, the question is not one of protecting the installations but one of prohibiting the use for hostile purposes of the radioactive material within those installations, as means of mass destruction.

Having established that the overriding purpose should be to prohibit the use of radioactive material for hostile purposes and that the means utilized to do so could include not only radiological weapons in the traditional sense but also attacks on nuclear facilities in such a way that radioactivity may be released, weapons as well as nuclear facilities must be defined. Not all nuclear facilities contain enough radioactive material to cause damage substantial enough to possibly qualify as mass destruction. Sweden has tried to identify the facilities that would meet with this criterion and has concluded that a prohibition of attacks should basically encompass four categories of facilities namely nuclear reactors, intermediate spent-fuel storages, reprocessing plants and waste deposits. Furthermore, they must be of a certain size or have a certain capacity in order to contain enough radioactive material to qualify as potentially dangerous from a mass destruction point of view. The method for calculating these thresholds has been described in document CD/RW/CRP.27.

Now, some delegations have expressed concern that these provisions imply that production for military purposes is tacitly sanctioned and that military facilities would be exempt from attacks.

(Mr. Ekéus, Sweden)

From the point of view of the potential to cause mass destruction this potential is the same no matter the intended use of a particular facility. Let me also state that in the opinion of my delegation the necessity of preventing mass destruction should at any given time have priority over other military interests. Having said this I wish to recognize, however, that the concern expressed has a certain political legitimacy and this is why the Swedish proposals have been formulated in a way as to minimize such possible consequences. First of all, typical military installations such as nuclear weapons production plants and nuclear weapons depots are not included. Secondly, the provisions cover only attacks that would cause the release or dissemination of radioactive material. Thirdly, the need for information and international control is met in Article III and Annex III of the Swedish proposal, calling for a register to be kept by the Depositary which is based on detailed information verified through mandatory on-site inspections. Sweden is of the opinion that if a State party chooses to comply with these regulations the possible military or non-military nature of a reactor, spent-fuel storage, reprocessing plant or waste deposit can be considered to be of less concern to the international community than the need to prevent a possible mass-destruction situation. If the Swedish proposal is studied in great detail it should become quite clear that real worry in respect of possible sanctioning of military activities is not called for.

Another question which has caused some concern in the Committee is how to deal with reactors in different stages. What the issue boils down to is the question of when a reactor is to be considered a reactor for the purpose of the proposed provisions.

It takes some time for a reactor to reach its critical stage. Furthermore, reactors are shut down from time to time. This must for example be done when fuel is replaced. But making provisions for all the temporary changes in the normal life-cycles of each individual reactor would not be realistic or practical nor would it serve any particular purpose as it would not be possible to keep military commanders continuously informed of the momentary status of each and every reactor in the world. The main aim being to exclude every possibility of release of radioactive material, Sweden is of the opinion that for the purpose of our proposed provision a reactor should be considered a reactor from when it reaches its first critical stage until the stage when it is decommissioned, i.e. finally shut down. If delegations would want this clearly reflected in the provisions, ways to do so could easily be found.

In his speech on 26 July the distinguished representative of the United Kingdom Ambassador Cronartie, pointed out that the Swedish draft treaty does not deal with the questions of the physical marking of facilities or delimitation of zones of protection. This is true and the reasons for this have been clearly spelled out in the Committee in response to questions put by the delegation of the Federal Republic of Germany. These reasons have also been presented to the Committee in writing, in document CD/RW/CRP.29 dated 19 July 1984. Allow me therefore to read out some relevant passages from this document.

"Concerning the question of establishing particular safety zones around the facilities, Sweden has from the past deliberations in the Committee come to the conclusion that the problems they give rise to outweigh their possible advantages".

(Mr. Ekéus, Sweden)

Since "by the term attack Sweden understands all attacks on the facilities in question which cause release or dissemination of radioactive material, the question if the facility itself has been the intended target or if the damage is incidental is in the Swedish opinion of less significance". The necessity to prevent mass destruction should at any given time prevail over other interests. From this follows "that any attack on military targets in the vicinity of nuclear facilities must be planned and performed so as to exclude any possibility of radioactive material being released. Given the high precision in today's weapons this is no overwhelming task. Furthermore, the existence of protective zones might give rise to the temptation to use them as military sanctuaries, thereby enhancing the risk of military targets being placed close to nuclear facilities and consequently also the risk of accidental damage being caused to the facilities. Actually, the protective zones could in some instances diminish the very safety they were intended to enhance".

"Physical identification (marking) of nuclear facilities poses great problems for some governments fearing that such markings could cause worry to the population to such an extent that the development of nuclear energy for peaceful purposes could be made difficult. However, Sweden has no objection to such markings, should States Parties wish to make them. However, we consider that such identification should be voluntary, and that absence of such markings in no way should relieve any Party of its obligations according to other provisions of the treaty. A norm for physical identification is provided in the 1977 Additional Protocol I to the Geneva Conventions of 1949, Annex I, Article 16."

I have now commented on some of the major issues so far discussed in the Ad Hoc Committee on Radiological Weapons. Other important issues remain and some of them have not yet been dealt with in the Committee. May I therefore conclude this statement by expressing my intention to revert to this matter at a later stage, should the development of the negotiations prompt me to do so.

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