



UNITED NATIONS
GENERAL
ASSEMBLY



PROVISIONAL

A/C.1/PV.2105
4 December 1975

ENGLISH

Thirtieth Session

FIRST COMMITTEE

PROVISIONAL VERBATIM RECORD OF THE TWO THOUSAND ONE HUNDRED AND FIFTH MEETING

Held at Headquarters, New York,
on Thursday, 4 December 1975, at 10.30 a.m.

Chairman: Mr. GHORRA (Lebanon)
Rapporteur: Mr. ARTEAGA ACOSTA (Venezuela)

- Implementation of General Assembly resolution 3254 (XXIX): report of the Secretary-General /34/ (continued)
- Napalm and other incendiary weapons and all aspects of their possible use: reports of the Secretary-General /35/ (continued)
- Urgent need for cessation of nuclear and thermonuclear tests and conclusion of a treaty designed to achieve a comprehensive test ban: report of the Conference of the Committee on Disarmament /37/ (continued)
- World Disarmament Conference: report of the Ad Hoc Committee on the World Disarmament Conference /40/ (continued)
- General and complete disarmament /41/ (continued):
 - (a) Report of the Conference of the Committee on Disarmament
 - (b) Report of the International Atomic Energy Agency /...

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- Comprehensive study of the question of nuclear-weapon-free zones in all its aspects: report of the Conference of the Committee on Disarmament /44/ (continued)
- Establishment of a nuclear-weapon-free zone in the region of the Middle East: report of the Secretary-General /46/ (continued)
- Prohibition of action to influence the environment and climate for military and other hostile purposes, which are incompatible with the maintenance of international security, human well-being and health: report of the Conference of the Committee on Disarmament /47/
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The meeting was called to order at 10.55 a.m.

AGENDA ITEMS 34, 35, 37, 40, 41, 42, 43, 44, 46, 47, 48, 122 and 126
(continued)

The CHAIRMAN: The Committee will continue its consideration of the draft resolutions relating to the question of disarmament.

Mr. JAZIC (Yugoslavia): We believe that it has been proved useful to devote greater attention at this session to the question of the strengthening of the role of the United Nations in the field of disarmament, on which Sweden, together with a number of co-sponsors, has submitted a draft resolution contained in document A/C.1/L.732.

It is a fact that although disarmament is one of the fundamental objectives of the United Nations and that from one session to another a growing number of disarmament items has been discussed by the Assembly, no significant progress has been achieved so far towards general and complete disarmament, and the role played by the United Nations in this field is unsatisfactory. When we bear in mind the fact that the international community is vitally interested in the achievement of progress through the adoption of measures of real disarmament in a situation when the arms race is continuing and gaining in intensity, with all the dangerous consequences for peace and security in the world, it is time for the United Nations as a whole to make new and fresh efforts.

(Mr. Jazic, Yugoslavia)

Therefore, it is both necessary and timely to undertake a basic review of the role of the United Nations in the disarmament field, as stipulated in the aforementioned draft resolution. For this reason it is desirable, above all, that the Governments of States Members of the United Nations should express their views and submit suggestions and concrete proposals so that the Ad Hoc Committee may complete its task in time and present a report with its recommendations to the General Assembly at its next session.

In this connexion, my delegation wishes to remind this Committee of the initiatives that found expression in the Conference of Ministers for Foreign Affairs of Non-Aligned Countries held in Lima concerning the possibility of convening a special session of the General Assembly devoted to the complex problems of disarmament. Such a session would, in our view, enable all States Members of the United Nations to undertake a thorough consideration of all aspects of this question, which is no doubt of interest to all countries and, what is particularly urgent, to reach political agreement with regard to the measures which should be undertaken so that we could finally embark upon the road of general and complete disarmament, and of nuclear disarmament in the first place.

The example set by the sixth and seventh special sessions of the General Assembly on the new international economic order and on co-operation in that field is very encouraging and shows that the United Nations can, provided its Member States make the necessary effort, act effectively in the interest of all States. We see no reason why we should not do the same in the field of disarmament when it is obvious that we are in need of new multilateral efforts.

My delegation supports, and will vote in favour of, the draft resolution in document A/C.1/L.732.

Miss FAROUK (Tunisia) (interpretation from French): I wish to recall the position of Tunisia, particularly on the question of the establishment of nuclear-weapon-free zones. The number of separate items on this question at the present session is proof of the great interest of the international community in the subject.

(Miss Farouk, Tunisia)

My delegation listened to the introduction by Mr. Korhonen, Chairman of the Ad Hoc Group of Governmental Experts, when he presented the comprehensive study of the question of nuclear-weapon-free zones in all its aspects. In our view, the complexity of the question, the specific difficulties and the divergence of views apparent from the study proves, on the contrary, that the process of peace by contagion has begun to take form.

The right of States of a given region to set themselves up as a nuclear-weapon-free zone or as a zone of peace has been reaffirmed, and my delegation supports it. It is in this spirit that my delegation has become a co-sponsor of the draft resolutions in document A/C.1/L.741, on the establishment of a nuclear-weapon-free zone in the region of the Middle East, and in document A/C.1/L.742, on the implementation of the Declaration on the Lenuclearization of Africa. These draft resolutions have been introduced, respectively, by Ambassador Hoveyda of Iran and Ambassador Clark of Nigeria with a brilliance which leaves no room for further comment.

It is, nevertheless, useful to recall the tensions existing in each of these regions and the will clearly expressed by peace-loving States in each of these regions to set themselves up as nuclear-weapon-free zones.

The establishment of such zones may respond to the concern of all mankind before the dangers of nuclear proliferation. It represents one of the approaches likely to ensure the strengthening of the security of non-nuclear-weapon States by promoting among them co-operation that will make it possible to forestall nuclear proliferation, and thus completes and strengthens the Non-Proliferation Treaty. This has the advantage of being a preventive measure. It emphasizes the common interest which unites the non-nuclear-weapon States in a given region and in the area adjacent to the zone of application. It will promote co-operation among nuclear and non-nuclear-weapon States on the basis of an agreed balance of responsibilities. It will help to remind the super-Powers that there is no lasting military hegemony unless it takes into account the principles which inspired our Charter.

(Miss Farouk, Tunisia)

To raise the question in terms of priority, co-operation, responsibility and balanced obligations means that in our opinion the United Nations has been and remains the privileged structure for negotiations and initiatives in disarmament. Has not our Organization sponsored among other partial treaties the Non-Proliferation Treaty? This role of the Organization in the field of disarmament should be strengthened, and that is why Tunisia has become a co-sponsor of the draft resolution in document A/C.1/L.732, which, in the fourth preambular paragraph regrets "that in recent years no significant progress has been made in the field of disarmament", while recognizing in the fifth preambular paragraph "the need to pursue negotiations on disarmament in existing negotiating forums".

The purpose of this draft resolution is to study ways of strengthening the role of the United Nations so as to make progress in seeking general and complete disarmament under strict and effective international control and, of course, respect for the sovereignty of States.

We believe that any action likely to reduce nuclear proliferation and strengthen security must clearly and consistently be encouraged. While Tunisia has co-sponsored draft resolutions in respect of regions to which it belongs geographically and with which it has close historical and geographic ties, it also supports initiatives and proposals to create nuclear-weapon-free zones and zones of peace in different parts of the world.

In each case, we remind you, one has to take into account the different political and geographical contexts, tackle the question in its complexity, and create conditions for a favourable environment. In some cases, a flexible, pragmatic approach is the only appropriate one.

(Miss Farouk, Tunisia)

My delegation, in sponsoring or supporting various draft resolutions, does so from the twin perspectives of development and peace, taking as our objective the purposes and principles of our Charter -- to build a more just, more balanced and really peaceful international community. However, the danger for the world of nuclear proliferation and the development of increasingly sophisticated weapons of mass destruction should not make us lose sight of the need to restrict or prohibit, for humanitarian reasons, certain conventional weapons which might be considered as causing unnecessary suffering or having indiscriminate effects: chemical and bacteriological weapons, or napalm and other incendiary weapons. In associating ourselves with draft resolutions relating to those weapons, our only concern is a humanitarian one.

We are trying to understand something of the reservations expressed by certain friendly nuclear countries about operative paragraph 2 of the draft resolution in document A/C.1/L.728, which refers to the Diplomatic Conference on the Reaffirmation and Development of International Humanitarian Law Applicable in Armed Conflicts, but we hope that there will be a meeting of minds and that we can reach unanimity in the international community on those draft resolutions which, I would emphasize again, have been prompted by humanitarian considerations.

I shall not repeat what the head of my delegation has already said here on Tunisia's support for the proposal for a world disarmament conference. Tunisia will support any draft resolution to that end.

Tunisia also welcomes the revisions which have been made by the Soviet Union to the draft resolutions it has already submitted in documents A/C.1/L.707 and L.711. We also welcome the improvement resulting from Bolivia's amendments to the Mexican draft resolution on the definition of nuclear-weapon-free zones.

Mr. ROWE (Canada): There are two draft resolutions under agenda item 44, entitled "Comprehensive study of the question of nuclear-weapon-free zones in all its aspects", and I wish to set forth the views of my delegation at this time on the draft resolutions in documents A/C.1/L.734 and L.724/Rev.1.

As we have frequently stated, and as our voting record in the Assembly confirms, Canada is strongly sympathetic in principle to the concept of nuclear-weapon-free zones where their creation would serve the objectives of the Non-Proliferation Treaty, where they are feasible and where they would promote stability. We believe that treaty arrangements for the establishment of nuclear-weapon-free zones can contribute significantly to the nuclear non-proliferation objective and to the security of the countries of such zones. Canada has been among those countries which have sought to encourage the provision by nuclear-weapon States of appropriate security assurances to States which are fully bound by the provisions of effective nuclear-weapon-free zone arrangements.

May I begin by expressing the views of my delegation on the draft resolution in document A/C.1/L.724/Rev.1.

We would hope that there could be the widest possible measure of agreement on the principles to be followed in the creation of all nuclear-weapon-free zones, but we do not believe it would be useful or appropriate for the Assembly to lay down any form of a firm and universal definition of the nuclear-weapon-free zone concept, or to attempt to impose in advance obligations which should devolve upon States outside such zones. In our view, it is not for the Assembly but for the States directly concerned themselves to determine the nature and the provisions of each nuclear-weapon-free zone arrangement, including both the obligations they are prepared to undertake towards each other and the assurances they wish to seek from States outside the zone. It is, of course, always open to the Assembly to decide whether it wishes to give its endorsement to a particular nuclear-weapon-free zone arrangement, including obligations entered into between outside States and member States of the region, once such a zone has been established. That is what the Assembly did for the Treaty for the Prohibition of Nuclear Weapons in Latin America.

(Mr. Rowe, Canada)

If we thought it appropriate for the General Assembly to establish firm definitions of the nuclear-weapon-free zone concept, we would have to take issue with the specific definitions proposed in the draft resolution in document A/C.1/L.724/Rev.1. The suggested definitions do not incorporate principles which many States, including Canada, believe should be observed if nuclear-weapon-free zone arrangements are to be effective and respected by outside States. Noticeably absent from the definitions offered in the draft resolution, for example, is any stipulation that States in a nuclear-weapon-free zone should forswear the development or acquisition of independent nuclear explosive capability.

While we can appreciate the motives of the sponsors of the draft resolution in document A/C.1/L.724/Rev.1, Canada will be unable to support the proposal and will abstain when it comes to a vote.

The Canadian delegation would have preferred only one resolution under item 44, and that is the one which is before the Committee in document A/C.1/L.734, which deals with the comprehensive study of the question of nuclear-weapon-free zones in all its aspects. As we said in our general statement of 4 November, Canada appreciates the extensive and thorough examination of this complex subject undertaken by the group of governmental experts in Geneva. The report identified a number of basic principles with which all the experts agreed, but clearly many unresolved issues and different opinions still remain; thus, in our opinion, there continues to be a need to deal with each nuclear-weapon-free zone proposal on its own merits. The draft resolution in document A/C.1/L.734 deals with the comprehensive study in a manner with which we fully agree; therefore my delegation can support that draft resolution without reservation.

Mr. GARCIA ROBLES (Mexico) (interpretation from Spanish): So as not to have to ask for the floor several times, I shall in this single statement deal with three separate matters.

The first relates to the draft resolution in document A/C.1/L.724/Rev.1, which was distributed yesterday. As will be recalled, when the representative of Bolivia submitted his delegation's amendments to this draft resolution, the co-sponsors announced that they would be very pleased to have an exchange of views with the spokesman of that delegation in an effort to arrive at a text that would be satisfactory to all.

I am pleased to report that those talks were successful and that as a result we have made those changes and have incorporated them into the revised text. The changes are three in number. One of them relates to the operative part and consists of replacing the word "proclaims" by the word "adopts". But the two main changes -- which, we venture to hope, will dispel the concerns voiced by many delegations -- pertain to subparagraph (a) of section I and to the first paragraph of section II.

Both the representative of France, in his statement when the original draft was submitted, and the representative of Bolivia, in explaining his proposed amendments, mentioned that it would be desirable, when considering a plan for a nuclear-weapon-free zone, or a treaty in the event that zone has already been established, of knowing the limits of that zone.

In our talks with the representative of Bolivia we worked out a formula which seems to us to be practical and to meet that wish: that is to say, it includes procedures for defining those limits. Such procedures are found in the only Treaty relating to a nuclear-weapon-free zone covering densely populated areas, namely, the Treaty of Tlatelolco, which contains procedures for defining the limits of the zone. I shall not here repeat that procedure. It is set out in article 4 of the Treaty of Tlatelolco. That was the procedure deemed appropriate for the Treaty of Tlatelolco; perhaps a different one would be more suitable for other zones, but we do not prejudge that here.

(Mr. Garcia Robles, Mexico)

As regards section II of the draft resolution, the text of the original draft has been substantially modified. The first paragraph now reads:

"In every case of a nuclear-weapon-free zone that has been recognized as such by the General Assembly, all nuclear-weapon States shall undertake or reaffirm, in a solemn international instrument having full legally binding force, such as a treaty, a convention or a protocol, the following obligations:" (A/C.1/L.724/Rev.1, p. 2)

Thereafter the three obligations are listed, which are the same as those in the original draft. And they are the same because they are what I might describe as conventional, traditional obligations. They are the ones which appear in the Treaty of Tlatelolco; they are the ones which the General Assembly and the Conference of Non-Nuclear-Weapon States, held in 1968 in Geneva, have regarded as basic obligations, as has been the case in the discussions held in every international forum I know of. These have always been the basic obligations that have been established; and, to my knowledge, no one has objected to them in the specific cases in which they have been discussed.

(Mr. García Robles, Mexico)

Nor do I recall that any member of the Group of Experts had any criticism or objection with regard to any of these three basic obligations, in spite, as I said in my last statement, of the difficulty in that Group of finding points or ideas that could be accepted by all its members.

We believe that the revisions made to the first paragraph of section II will enable all delegations to approve it without having to change in any way the respective position of principle of each delegation with respect to each and all of these obligations. Let me explain.

It is stated here that nuclear-weapon States shall "undertake or reaffirm". Those delegations that uphold the idea or theory -- which, I frankly confess, seems untenable to my delegation -- that nuclear-weapon States are not already under an obligation will be able to maintain their position. I must make it clear that with respect to this obligation I am not speaking of a moral obligation but of a legal one, an obligation fully binding under law; for that obligation, not to use or threaten to use nuclear weapons is an obligation that originates, in the opinion of my delegation, in nothing less than the most important multilateral treaty in existence, the treaty that gave birth to the United Nations. But I repeat, should there be any delegation that regards that obligation as not existing at the present time, that delegation will be able to maintain that view under the terms of the revised text, for it states that that obligation is to be contracted in the solemn international instrument that is to be signed and ratified by the nuclear Powers.

On the other hand, for those delegations which maintain, as do the sponsors, that, as I said a moment ago, that obligation has its origin in, among other things, that multilateral treaty which is the Charter of the United Nations, the applicable verb will not be "undertake" but "reaffirm".

This wording, I repeat, will in our view enable all delegations to support our draft resolution without having to modify in any way their positions of principle.

We venture to hope that the draft resolution as thus revised will receive the wide support which is desirable if it is to serve, as we said, and as is indicated in the next to the last paragraph of the preamble, to strengthen the new efforts recently undertaken and the realizations already achieved for the establishment of nuclear-weapon-free zones.

It remains for me only to thank the representative of Bolivia for his useful suggestions and for the exchanges of views we had on the subject, all of which made possible these changes in our draft resolution, which have undoubtedly improved it.

That concludes what I have to say about draft resolution A/C.1/L.724/Rev.1. I should now like to say a few words about draft resolution A/C.1/L.721/Rev.1.

As you will recall, the delegations of Mexico, Nigeria and Peru submitted a series of amendments, 15 to be exact, to this draft resolution, amendments contained in document A/C.1/L.729.

As the representative of the Netherlands reported yesterday, the sponsors of the original draft held several working meetings with the representatives who had submitted the amendments and, thanks to the openmindedness and co-operation of the sponsors, the amendments were either incorporated as submitted or else were included, in substance, through alterations in the wording of the original draft resolution.

(Mr. Garcia Robles, Mexico)

I should merely like in this respect, while expressing our appreciation to the sponsors for their co-operation in seeking a text satisfactory to everyone, to say a few words with regard to operative paragraphs 5 and 6 of the revised text (A/C.1/L.721/Rev.1).

These two paragraphs reflect two of the major amendments we submitted.

Operative paragraph 5 of the revised text now reads as follows:

"Notes in this connexion, that, according to information provided by the Union of Soviet Socialist Republics and the United States of America to the Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons in response to the invitation addressed to them in resolution 3261 D (XXIX), no consultations had yet taken place for the conclusion of the special basic international agreement on nuclear explosions for peaceful purposes as envisaged in article V of that Treaty;"

Operative paragraph 6 goes on to say:

"Invites the Union of Soviet Socialist Republics and the United States of America to provide information on such consultations as they may have entered into or may intend to enter into for the conclusion of the special basic international agreement on nuclear explosions for peaceful purposes as envisaged in article V of the Treaty on the Non-Proliferation of Nuclear Weapons, to the General Assembly, through the Secretary-General, at its thirty-first session;"

In this connexion I would venture to recommend to the members of this Committee that they take a look at a document which was before the Committee last year, document A/C.1/1052 of 18 November 1974 which included at the request of the Mexican delegation, some very pertinent paragraphs from the verbatim record of the 1577th meeting of this Committee, held on 31 May 1968.

The statements in question were those made by the representative of the Union of Soviet Socialist Republics, the Vice-Minister for Foreign Affairs, Mr. Kuznetsov, and the representative of the United States of America, Ambassador Goldberg. I shall not weary the Committee by reading out

(Mr. García Robles, Mexico)

those statements in full, since they can easily be referred to in the document I mentioned (A/C.1/1052), rather than in the records for 1968, which may no longer be available. However, I wish to recall that in his statement the representative of the United States said, inter alia, the following:

"It will be noted that the revised text [of article V of the Treaty on Non-Proliferation] makes it clear that States may obtain the benefits from peaceful application of nuclear explosions" -- and he went on to quote the following from that article --

"'... pursuant to a special international agreement or agreements, through an appropriate international body with adequate representation of non-nuclear-weapon States'."

After quoting from article V of the Treaty, Ambassador Goldberg continued as follows:

"This language contemplates a basic agreement defining the functions of the appropriate international body and holds open the possibilities of a series of separate international agreements dealing with particular projects.

"It is important that the primary agreement -- defining the function of the international body" -- and I wish here to ask members of the Committee to pay particular attention to the words that follow, since they are by the representative of the United States --

"be negotiated promptly." For this reason we have added the sentence that:

"'Negotiations on this subject shall commence as soon as possible after the Treaty enters into force'."

"We trust that this language will remove any doubts about the intention of the nuclear-weapon States which are in a position to do so to provide such services under appropriate international observation and at the earliest practical moment." (A/C.1/1052, pp. 3 and 4)

It is therefore strange that, as affirmed in operative paragraph 5 of the revised draft resolution -- and, really, this is a very generous and benevolent affirmation -- the Soviet Union and the United States, replying to the invitation addressed to them in resolution 3261 D (XXIX), say that

"... no consultations had yet taken place for the conclusion of the special basic international agreement...". (A/C.1/L.721/Rev.1)

(Mr. Garcia Robles, Mexico)

That means that seven years after 1968 and five years after the Non-Proliferation Treaty entered into force, these consultations or negotiations have not yet started, although we were told in 1968 that they would start as soon as possible so that the basic international agreement --- defining the functions of the appropriate international body, as provided in article V -- could be negotiated promptly, as was stated here in the First Committee seven years ago.

(Mr. Garcia Robles, Mexico)

We venture to hope, therefore, that this time the two nuclear Powers directly concerned will respond to the invitation addressed to them in paragraph 6, and that when reporting to the thirty-first session of the Assembly they will give us positive information telling us not only that these consultations or negotiations are already under way, but also the tentative date of the international gathering for the discussion, preparation and approval of the special basic international agreement for which we have been waiting for seven years.

The third and last question in this connexion, on which I should like to say a few words, refers to the two draft resolutions submitted to the Committee on the item "Declaration and establishment of a nuclear-free zone in South Asia." These two resolutions -- to mention them in the chronological order in which they have been submitted -- are that of India, contained in document A/C.1/L.730 of 25 November 1975 and that of Pakistan, contained in document A/C.1/L.733 of 26 November 1975.

As we all remember, last year the Committee also received not one but two draft resolutions on this subject. At this session, the two delegations which respectively sponsor these draft resolutions have informed us of their positions on the question. My delegation considers that in these circumstances it might be possible for the Committee not to have to vote on the two proposals. Accordingly, we would venture to appeal to the representatives of India and Pakistan to consider the possibility of accepting a procedure consisting of having the Committee adopt, without a vote, both draft resolutions.

While this is a procedure which is not frequently resorted to, neither can we say that it is unprecedented. Among the precedents of this kind which I might mention, we have no less than the documents adopted at the sixth special session of the General Assembly.

My delegation ventures to hope that if the two delegations directly concerned were to accept this suggestion, it might serve a purpose, namely that while at this time it has not yet been possible for them to submit a joint draft resolution, it might be possible for them to do so next year -- that is to present a single draft resolution on the establishment of a nuclear-free zone in that important part of the world.

The CHAIRMAN: I take note of the appeal which the representative of Mexico has just made to the delegations of India and Pakistan. At a later stage, I will request both delegations of India and Pakistan to respond to this appeal.

Mr. AMERASINGHE (Sri Lanka): I was particularly pleased to hear the proposal made by the representative of Mexico that we should adopt, without a vote, both resolutions -- the Indian draft resolution in document A/C.1/L.730 and the Pakistan draft resolution in document A/C.1/L.733.

(Mr. Amerasinghe, Sri Lanka)

I consider that to be a very sound procedure and, as the representative of Mexico stated, it is not without precedent. But even if there was no precedent I do not see why we should not create one on this occasion. The two draft resolutions are neither mutually exclusive nor mutually inconsistent. I merely want to make a few observations having regard to the fact that the draft resolutions will not be put to the vote.

As it was becoming quite fashionable to introduce proposals regarding the establishment of nuclear-weapon-free zones, the delegation of Finland took the very commendable initiative last year, through resolution 3261 F (XXIX) of calling for a study by an Ad Hoc Group of Qualified Governmental Experts under the auspices of the CCD on the question of nuclear-weapon-free zones in all its aspects. I do not know why we should indulge in tautology in these resolutions of ours and call them "qualified governmental experts". I would presume there is no such person as an "unqualified" expert.

What surprises me is that the most obvious conclusions of the Group of Experts in this voluminous report of theirs should be acclaimed as profound propositions which could only have been the product of expert knowledge. It needed no voice from heaven to advise us that the initiative for the creation of a nuclear-weapon-free zone should come from the States within the region. Nobody else is going to take the initiative; that should be obvious. Also, that participation must be voluntary. Yet, many speakers commenting on the report of the Ad Hoc Group of Qualified Governmental Experts under the auspices of the CCD, which is contained in document A/10027/Add.1, have mentioned with awe and reverence the fact that although the experts could not agree on several fundamental questions they were, nevertheless, unanimous on these two basic principles. Clearly there is a difference between "fundamental questions" and "basic principles". I see very little difference, of course, between the two. It ended up by saying that the initiative must come from the States within the region and participation must be voluntary.

One would imagine that we had appointed this Group of Qualified Governmental Experts to advise us on the art of love. Clearly their profound observations would be equally appropriate, although not particularly edifying, if they referred to that subject. Both experience and law have

taught and warned us that in that delectable relationship the initiative must come from the prospective participants and the law has warned us that if participation is not voluntary then we are liable to indictment for a criminal offence called rape.

I find that the proposition as stated in the Indian draft resolution, in the third preambular paragraph which states that

"Having considered the basic principle unanimously accepted by the experts that, wherever appropriate conditions for a nuclear-weapon-free zone exist, the initiative for the creation of a nuclear-weapon-free zone should come from States within the region concerned, and participation must be voluntary,". (A/C.1/L.730)

with a few slight amendments could really refer to the subject I mentioned earlier.

The single operative paragraph in the Indian draft resolution states:

"Decides to give due consideration to any proposal for the creation of a nuclear-weapon-free zone in an appropriate region of Asia, after it has been developed and matured among the interested States within the region concerned." (Ibid.)

If we examine that draft resolution and compare it with the Pakistani draft resolution which lost priority by one day -- as usual -- namely the draft resolution contained in document A/C.1/L.733, operative paragraph 1 of the Pakistani draft resolution

"Urges the States of South Asia to continue their efforts to establish a nuclear-weapon-free zone in South Asia, as recommended in its resolution 3265 B (XXIX);"

That is clearly what is intended in the Indian draft resolution, namely, that through consultation and through the continued pursuit of our efforts to establish a nuclear-weapon-free zone we should develop and mature the concept among ourselves before presenting it to the rest of the United Nations.

Operative paragraph 2 of the Pakistani draft resolution does not appear in a comparable form in the Indian draft resolution. In other words, the Indian draft resolution does not contain anything comparable to operative paragraph 2 of the Pakistani draft resolution. But it is only natural that

(Mr. Amerasinghe, Sri Lanka)

if we are to develop the concept of a nuclear-weapon-free zone and hope to make it applicable to any particular area in South Asia we must -- those of us who are really sincere about the establishment of such a zone -- refrain from any action contrary to the objective of establishing a nuclear-weapon-free zone in South Asia.

I do not think we can maintain that there is any country in South Asia -- in the geographical sense in which we use that term, namely, the countries of the Indian subcontinent and Sri Lanka, just to mention those four countries, although we might even add countries like Afghanistan, Bangladesh, all the countries of the former Indo-Chinese States, Malaysia, Indonesia, all the ASEAN countries in fact, in that definition -- which is pursuing any course of action which is contrary to the objective of establishing a nuclear-weapon-free zone in South Asia. We have accepted India's assurance that its nuclear explosion was intended for peaceful purposes and that it has no intention whatsoever of applying it to military purposes.

In that belief and in the confidence in India's word, we see no difficulty whatsoever in our starting negotiations to define the concept more accurately, to examine it in all its implications so far as South Asia is concerned, and, having regard to the fact also that we have two nuclear Powers one of whom is totally Asian and the other is half Asian in the same region, we would join our appeal, therefore, to that made by the representative Mexico to the sponsors of these two draft resolutions, namely India and Pakistan, to agree that both draft resolutions should not be put to the vote but should be adopted without a vote.

Mr. GUTIERREZ (Bolivia) (interpretation from Spanish): After we heard the statement of the representative of Mexico on the draft resolution contained in document A/C.1/L.724/Fev.1, I think it is only right that I should say something as a co-sponsor of the amendments. I am taking the floor above all in order to pay tribute to the democratic and conciliatory spirit which I have found among the co-sponsors of the draft resolution contained in document A/C.1/L.724 on a nuclear-free zone and I would thank them also for the attitude which they have adopted towards the draft amendments proposed by myself.

(Mr. Gutierrez, Bolivia)

At the end of my explanatory remarks I said that I was in touch with the representatives of the co-sponsors and that we had fortunately reached common ground in order to produce a text which would reconcile our different viewpoints. We thus succeeded in producing a text which is a combination of the draft resolution in document A/C.1/L.724 and my amendments.

For some, I suppose this could be said not to be an ideal solution. But as the popular saying goes, "The perfect is the enemy of the good". I suggest that this is a good draft. It is a good draft because it has dispelled certain grave doubts which some representatives had.

Paragraph 2 of section II has been deleted, which established a certain compulsory automaticity for nuclear Powers, an almost imperative formula of an obligation on those Powers if the draft resolution were adopted.

The deletion of those words has greatly improved the text, and I feel that this has dispelled the reason for the strong rejection which the United States and the United Kingdom announced at an earlier meeting.

Also, the concept of nuclear-free zones has now been further refined by the addition of the concept of the limit of the zone, as suggested by the representative of France, and which I would agree is an important point.

What has been of main concern to me is the legal framework in which the support of the nuclear Powers for the creation of nuclear-free zones can be obtained and this point has been dealt with. In the first paragraph of section II it is stated that these Powers would assume such obligations after signing a treaty, a convention or a protocol, which thereby removes from the original draft resolution the concept of the de jure obligation which could have been read into the original text of the draft resolution in document A/C.1/L.724.

I very much hope, therefore, in the light of all these considerations that this text will meet with the support of a majority in this Committee. The worst thing that man can do in life is to do nothing. It is through mistakes that one discovers the path to truth. By falling, man learns how to rise again. We are not falling or erring in this draft resolution. We are moving towards the attainment of one of the highest aims pursued by the United Nations: the prohibition of nuclear weapons and the denuclearization of certain zones, thereby ensuring universal peace and acting in a manner conducive to progressive and harmonious disarmament.

The CHAIRMAN: In the light of the statement of the representative of Bolivia, may I take it that his amendments contained in document A/C.1/L.740 are withdrawn?

Mr. GUTIERREZ (Bolivia) (interpretation from Spanish): That is correct.

The CHAIRMAN: I thank the representative of Bolivia for this clarification. Therefore, the draft resolution in document A/C.1/L.740 and its corrigendum 1 are no longer before the Committee.

Mr. BERASATEGUI (Argentina) (interpretation from Spanish): In our statement at the 2090th meeting of the First Committee, we referred in detail to the draft resolutions presented originally by the delegation of the Soviet Union in documents A/C.1/L.707 and L.711. Since the co-sponsors have now amended these drafts in a constructive spirit, which my delegation highly appreciates, we wish to refer to both of them out of a feeling of courtesy towards those who have been so good as to incorporate the ideas and wording formulated here.

Let me refer first of all to the draft resolution in document A/C.1/L.707/Rev.2. We believe that the new version is a distinct improvement on the text, although the fourth preambular paragraph gives rise, it is true, to certain well-known doubts. We agree with the notion that an international peaceful nuclear explosion service should be provided on a non-discriminatory basis. However, we do not feel that this emanates from any given treaty but, rather, from the relevant provisions of the statute of the International Atomic Energy Agency.

As for the operative part, we note that the revised text in operative paragraph 2 reflects the observations made by a number of delegations, including my own, as to the need to recognize that non-nuclear-weapon States have the status of parties to any negotiations related to the purposes of the draft resolution and its annex.

(Mr. Berasategui, Argentina)

We also feel that the additions in the second revision of this text, as a result of the suggestions made by the representative of Mexico at the 2102nd meeting of the Committee, are highly pertinent. Accordingly, we will vote in favour of the draft resolution as a whole, while at the same time reserving our right to express reservations as to the preambular paragraph I have already referred to.

As for the draft resolution in document A/C.1/L.711/Rev.1, the Committee will recall that in an earlier statement we said that, in our opinion, the text of the annexed agreement was still "... before it becomes definitive subject to whatever contributions may result from the consideration and comparison by experts of the levels attained by science and technology in the generation of new systems of weapons of mass destruction". (A/C.1/PV.2090, p. 6)

In that respect we are grateful for the changes made by the co-sponsors in operative paragraph 3 and we shall be able to vote in favour of the draft resolution as a whole.

Mr. ROSCINI (Union of Soviet Socialist Republics) (interpretation from Russian): First, I would like to express our gratitude to Mr. Berasategui, representative of Argentina, who has just given his delegation's views on the proposal sponsored by a number of delegations, including my own, included in document A/C.1/L.707/Rev.2 and in document A/C.1/L.711/Rev.1. Mr. Berasategui has, to some extent, taken the words out of my mouth, but even so I will take just a few minutes of the Committee's time to confirm our position on the question of the conclusion of a treaty on the complete and general prohibition of nuclear-weapon tests.

During the discussion of this item and of the draft resolution, in the Committee, a number of delegations expressed the wish for amendments to be introduced into the draft. The sponsors have found it possible to meet these wishes, and these additions have been introduced in the form of the revised version of the text (A/C.1/L.707/Rev.1).

At a subsequent stage of consideration of the draft resolution, a number of representatives, in particular Mr. Garcia Robles of Mexico, said that in their opinion operative paragraph 2 should further specify who should invite the 25 to 30 non-nuclear-weapon States to take part in the negotiations on the complete and general prohibition of nuclear-weapon tests. The wish was expressed that such an invitation should be extended by the Secretary-General. The sponsors gave close attention to this proposal and have found it possible to include such a change in operative paragraph 2 of the draft resolution. We have changed the wording so that it now reads "and invites". Operative paragraph 2 now reads as follows:

"Calls upon all nuclear-weapon States to enter into negotiations not later than 31 March 1976 with a view to reaching agreement on the complete and general prohibition of nuclear-weapon tests, and invites 25 to 30 non-nuclear-weapon States ..."

and so on as in the text in document A/C.1/L.707/Rev.2.

It was also said that the draft resolution should instruct the Secretary-General to forward to all participants all documents having to do with the discussion at the thirtieth session of the General Assembly of items 37 and 122 of this Assembly's agenda. The sponsors of the draft have found it possible to take this wish into account, and have included the relevant words at the end of operative paragraph 3. The additional words read as follows:

(Mr. Roschin, USSR)

"... and to transmit to the group referred to in paragraph 2 of this resolution all documents relating to the consideration by the General Assembly at its thirtieth session of agenda items 37 and 122".

These clarifications and additions are constructive, in the opinion of the sponsors. The sponsors are grateful to Mr. Garcia Robles of Mexico for his constructive approach to this draft. We also express our gratitude to all those delegations which supported these amendments and the draft as a whole.

We now trust that the amended text in the form of document A/C.1/L.707/Rev.2 will win broad support when it comes to the vote.

Mr. CLARK (Nigeria): I wish to refer to two items which have already been touched upon by Mr. Garcia Robles of Mexico. He has, with characteristic clarity, and in a spirit of conciliation, referred to the draft resolutions in documents A/C.1/L.730 and A/C.1/L.733 submitted by India and Pakistan respectively. The two draft resolutions were presented with the eloquence and argument to be expected.

We of Nigeria are too close to India and Pakistan to stand in the way of agreement and good neighbourliness between them. We also feel that the ultimate goals of both draft resolutions are not contradictory. Both countries, India and Pakistan, are well-known for their consistent and energetic support of the cause of general disarmament, including the concept of nuclear-weapon-free zones as a measure to arrest the proliferation of nuclear weapons.

Like all efforts at co-operation, the initiative has to be free and the outcome the fruit of mutual consultation. It is clearly because Nigeria believes in the need for the most cordial and friendly relations between India and Pakistan and, of course, between Nigeria and those two countries, and because of our unqualified attachment to the idea of nuclear-weapon-free zones that I now wish to support with great pleasure and admiration the proposal by the representative of Mexico that the two draft resolutions, of India and Pakistan, be adopted without a vote.

I have also been in touch with India and Pakistan -- just as I was last year -- and I am under the impression that the Mexican proposal, since it will redound to the common good, will therefore be acceptable to them.

(Mr. Clark, Nigeria)

The other subject that I should like to refer to has also been touched upon by Ambassador Garcia Robles. I wish to confirm that, following the understanding reached between the sponsors of the draft resolution in document A/C.1/L.721 and of the amendments in document A/C.1/L.729, which has now resulted in document A/C.1/L.721/Rev.1, as clearly explained by Ambassador Garcia Robles, out of courtesy for their efforts and because of Nigeria's well-known position on the question of the proliferation of nuclear weapons, my delegation will vote for the draft resolution in document A/C.1/L.721/Rev.1.

It may be recalled that Nigeria was a co-sponsor of the draft resolution in document A/C.1/L.729 along with Mexico and Peru. Our aim was to restore a sense of history and a sense of balance between a comprehensive test ban and nuclear explosions for peaceful purposes. However, I am obliged to observe that there is a lacuna -- in our view, a remediable lacuna -- in paragraph 8 of the new text which could have been satisfactorily dealt with by reading it along with paragraph 2 (b). It may be recalled that General Assembly resolution 3261 D (XXIX) of 9 December 1974 mandated the Conference of the Committee on Disarmament to undertake the specific task of studying the question of peaceful nuclear explosions within the framework of a comprehensive test ban. As a result, a report was submitted, referred to in paragraph 2 (b). The Conference of the Committee on Disarmament cannot be expected to give priority to the question of peaceful nuclear explosions over the comprehensive test ban; nor should it overlook the question of peaceful nuclear explosions in its consideration of the subject of a comprehensive test ban, which has been a primary item on the agenda of the Conference of the Committee on Disarmament for many years.

Consequently, I made an informal approach yesterday to the sponsors of the draft resolution in document A/C.1/L.721/Rev.1 and asked them to consider inserting the clause "within the framework of a comprehensive test ban", which appears in paragraph 2 (b), into paragraph 8 between the words "review" and "the" at the beginning of the second line.

I have just been advised by the representative of Japan that the sponsors have not been able to accept my suggestion, the main argument being that paragraph 9 contains the seed of my suggestion. I am honestly not in a position to share that point of view and I would appeal to them to take a second look

(Mr. Clark, Nigeria)

at the two paragraphs. Paragraph 8 refers to the work of the Conference of the Committee on Disarmament and paragraph 9 to the work of the United Nations General Assembly. I sincerely hope that the sponsors of the draft resolution in document A/C.1/L.721/Rev.1 do not expect my delegation or others -- and there are quite a number which share my delegation's view -- to submit a formal amendment to paragraph 8 or to call for a separate vote on that paragraph before conceding the appropriateness of the suggestion. Even at this late stage I appeal to them to make, if possible, an oral amendment to paragraph 8 so that we may all gladly support the draft resolution.

Mr. GARCIA ROBLES (Mexico) (interpretation from Spanish): I asked for the floor again only because since I last spoke the representative of the Soviet Union has explained the new changes introduced into the draft resolution in document A/C.1/L.707, which are included in the second revision of that draft resolution. The representative of the Soviet Union was so good as to explain that those changes related to the suggestions which I took the liberty of making verbally, changes which have been incorporated into paragraphs 2 and 3 -- in the first, by the use of the words "and invites" and in the second by the insertion of a request to the Secretary-General to submit to the groups mentioned in paragraph 2 of the draft resolution all documents relating to the consideration by the General Assembly at its thirtieth session of agenda items 37 and 122. I wish to express my gratitude to Ambassador Foschin for the kindness of his delegation in dealing with my proposed amendments, and to inform him that, of course, my delegation will be happy to vote in favour of the draft resolution as now amended.

Mr. CHUANG (China) (interpretation from Chinese): With regard to the Soviet draft resolution on the conclusion of a treaty on the complete and general prohibition of nuclear-weapon tests, the Chinese delegation has solemnly pointed out on many occasions that this is another fraud of sham disarmament, which is solely aimed at preserving the nuclear monopoly of the super-Powers. Therefore, the Chinese delegation will vote against the said draft resolution, and states that it will never enter into the so-called "negotiations" as such, nor will it be bound in any way by the result of such "negotiations".

The CHAIRMAN: We have thus heard the last speaker in the general discussion of the draft resolutions. May I take it now that we may close that phase of our work and embark on the voting phase?

Mr. BERASATEGUI (Argentina) (interpretation from Spanish): I would only crave your indulgence, Mr. Chairman, and that of the Committee so that, continuing the practice followed last year in this Committee, we might be allowed, even though the voting may have started on various resolutions, to introduce a draft resolution on agenda item 40.

The consultations on this draft resolution have continued, and only a few minutes ago were we able to transmit the document to the Secretariat. My delegation would therefore request you, Mr. Chairman, and, through you, the Committee to take this circumstance into account so that when the draft resolution is distributed -- and we are told that the Secretariat will have it available today at 3 o'clock -- my delegation may introduce the draft resolution on behalf of the co-sponsors.

The CHAIRMAN: I must apologize to the representative of Argentina, and perhaps to some other delegations wishing to introduce draft resolutions this afternoon. Actually, I had intended to say that as far as this morning's meeting was concerned, we might consider that we had concluded the discussion phase and could therefore proceed to the vote on the draft resolutions concerned. Naturally, we shall be very happy to receive the remainder of the draft resolutions this afternoon, and sufficient opportunity will be given to delegations to introduce them.

Therefore, I take it that the Committee is willing now to proceed to the vote on perhaps some of the draft resolutions I have mentioned. If we can finish with all of them before lunch, that would be fine. Otherwise, the remainder will be carried over to this afternoon's meeting.

(The Chairman)

Before we proceed to the vote, however, since we have heard an appeal from the representative of Mexico addressed to the delegations of India and Pakistan, an appeal supported by the representatives of Sri Lanka and Nigeria, I would now call on the representatives of Pakistan and India to give us their views regarding that appeal.

Mr. YUNUS (Pakistan): As the representative of Nigeria pointed out in his statement, my delegation has been in touch with the delegations Mexico and Nigeria, and it is our understanding that this way of proceeding with the two draft resolutions will be acceptable.

Mr. MISHRA (India): We have listened with great attention to the appeal made by the representative of Mexico, Ambassador García Robles, and supported by the representative of Nigeria, Ambassador Clark. As the representative of Mexico himself pointed out, we have explained our position to the Committee on this question. However, if the Committee wishes to proceed to adopt the two draft resolutions without a vote, my delegation will not object to that procedure.

Mr. ADJIBADE (Benin) (interpretation from French): I should like to speak on this matter of when we shall be voting. When we adjourned yesterday, it had been announced that the draft resolutions would not be voted on until the afternoon. On the basis of that decision, various delegations made certain arrangements; and as for my delegation, there are certain draft resolutions on which we must vote but are not yet in a position to do so. We would hope that the decision taken yesterday afternoon will be respected and that, as indicated yesterday, the voting will not begin until this afternoon.

The CHAIRMAN (interpretation from French): I thank the representative of Benin -- and this is the first time I am referring to his country by its new name -- for his statement. I regret that there may have been some confusion on my part with respect to the voting, but I shall comply with the decision taken yesterday. This morning I shall put to the vote only those draft resolutions which the Committee can adopt without difficulty or objection. For example, I would start with the draft resolutions in documents A/C.1/L.730 and A/C.1/L.733, on which there have been clear-cut statements this morning. I hope there will be no objection to our taking a decision this morning on those two drafts.

(spoke in English)

Therefore, let us take item 48. If there is no objection on the part of any member of the Committee, I shall take it that the Committee wishes to dispose of this item.

It was so decided.

The CHAIRMAN: We have heard the appeal of the representative of Mexico that the Committee adopt the draft resolutions in documents A/C.1/L.730 and A/C.1/L.733 without a vote. That appeal has been supported by two delegations, and the co-sponsors of the draft resolutions have no objections to this procedure. May I take it that the Committee wishes to adopt those two draft resolutions without a vote?

The draft resolutions contained in documents A/C.1/L.730 and A/C.1/L.733 were adopted.

The CHAIRMAN: I shall now call on those delegations that wish to speak in connexion with the two draft resolutions just adopted.

Mr. CHUANG (China) (interpretation from Chinese): With regard to the two draft resolutions concerning a nuclear-weapon-free zone in South Asia, had they been put to the vote, the Chinese delegation would have voted in favour of the draft in document A/C.1/L.733, and would have abstained on that in document A/C.1/L.730.

Mr. MARTIN (United States of America): My delegation has accepted the wish of the sponsors of the two draft resolutions concerning a nuclear-weapon-free zone in South Asia, namely that both resolutions be adopted without vote. Had there been a vote, however, my delegation would have abstained. In our view, this year's resolutions embody quite different approaches to the stated objective, just as they did last year. Progress towards the creation of a nuclear-weapon-free zone in South Asia requires consultations and careful preparation by the States in the region, so that the necessary agreements on the goals and conditions of the zone can be reached. We welcome the discussions that have taken place between the interested States in this connexion.

I should also like to add that an important consideration in determining the attitude of the United States towards any particular zone arrangement is based on whether it effectively prohibits the indigenous development of any nuclear explosive capability for whatsoever purpose.

Mr. NISEICORI (Japan): With regard to the two draft resolutions that have just been adopted by consensus, my delegation would like to clarify the basic position of my Government concerning a nuclear-weapon-free zone.

As I stated in my intervention in the general debate in this Committee, and as is clear from the special report by qualified experts, in a region where appropriate conditions for a nuclear-weapon-free zone exist, the establishment of such a zone would contribute to achieving non-proliferation of nuclear weapons and to halting the nuclear arms race and strengthening international security. But at the same time, it should not only contribute

(Mr. Nishibori, Japan)

to the strengthening of security within the specific region, but should also be compatible with the objective of strengthening international security on a global scale, supported by the requisite peace-keeping mechanism.

I would also recall that, as is clear from the special report, many experts supported such important principles as the following: nuclear explosive devices, together with nuclear weapons, should be banned in nuclear-weapon-free zones, and the zones should be established in accordance with the principles of international law, including the principle of freedom of navigation on the high seas.

I hope and trust that both draft resolutions reflect a genuine intention of the sponsors to establish a nuclear-weapon-free zone in South Asia in line with these basic principles and objectives. On the other hand, I deplore that, as was the case last year, there was no meeting of minds between the ideas contained in the two draft resolutions, and it was therefore not possible to merge them into a single proposal.

The initiative for establishing the South Asian nuclear-weapon-free zone came, as it should have, first and foremost from States within the region but unfortunately they did not reach agreement beforehand.

This situation requires the States concerned to adopt a conciliatory approach and to undertake further patient negotiations. Consequently, my delegation requests India and Pakistan to continue their efforts to attain a common position within the proposed region.

Mr. CHRYSANTHOPOULOS (Greece): I would like to associate myself with the statement made by the representative of Japan to the effect that any such zones must not impair the freedom of the seas and free trade through those zones.

Mr. MISHRA (India): My delegation did not object to the procedure adopted by the Committee, that is, that the two draft resolutions be adopted without a vote. We did not object for two reasons. One was, as the representative of Mexico himself mentioned, that our delegation had had the opportunity to explain its position during the debate earlier in this Committee. The second reason was that it was clear to us, as it was to all delegations, that both draft resolutions would have been adopted by the Committee by considerable majorities. However, I should like to point out that had there been a vote on the draft resolution introduced by the delegation of Pakistan, my delegation would have voted against it. On 2 December, in a meeting of this Committee, I had the opportunity to explain our position once more in regard to Pakistan's proposal for the establishment of a nuclear-weapon-free zone in South Asia. I should like to quote from that statement. At that time I said:

"As evidenced by our negative vote on Pakistan's resolution last year, India is of the firm view that it could not join the proposed nuclear-weapon-free zone in South Asia and, consequently, regrets its inability to participate in any consultations that might take place in respect of Pakistan's proposal last year and which is being repeated this year."
(2102nd meeting, p. 51)

References have been made here to the necessity of better relations between India and Pakistan. I refer particularly to what my good friend Ambassador Clark of Nigeria said earlier this morning. We are of the view that good relations between our two countries, that is India and Pakistan, can come about through bilateral discussions, discussions which could cover any question of interest to the two States.

As the Foreign Secretary of the Government of India said in the Committee last year on 15 November 1974:

"It is our sincere hope that nothing will come in the way of this happy trend towards a more constructive and co-operative relationship between our two peoples and Governments based on friendship, mutual trust and respect.

"I should like to take this opportunity to affirm once again the determination of my Government earnestly to pursue those goals in conformity with the letter and spirit of the Simla Agreement."
(2020th meeting, p. 4-5)

Mr. YUNUS (Pakistan): The First Committee has just taken a decision which, in my delegation's view, is as constructive in its approach as it is foresighted in its orientation. We have all placed our weight on the side of peace and co-operation in South Asia, which is the very first requirement for the welfare and progress of the peoples of this region. This Assembly has thus discharged its responsibility effectively.

On behalf of my delegation, I should like to pay a tribute to Ambassadors Garcia Robles, Amerasinghe and Clark, because it was their initiative and efforts which showed us the way.

For my delegation, this juncture is not one for either rhetoric or argument. On 31 October this year, Mr. Shahi, the Foreign Secretary of Pakistan, stated in this Committee:

"While there may be differences among the South Asian countries as to whether ... [this objective] should be achieved through the establishment of a nuclear-weapon-free zone or in some other way, there is a common commitment on the part of each State that it will not acquire or manufacture nuclear weapons. My delegation is not unhopeful that through further consultations the States of South Asia will find it possible to agree on the modalities and procedures by which their common determination not to exercise the nuclear-weapons option can be jointly and formally expressed." (2074th meeting, pp. 62 and 63-65)

(Mr. Yunus, Pakistan)

That is a clear expression of the conviction on which our policy and our efforts have been based. I can only add that we shall continue to follow this path unswervingly.

The CHAIRMAN: The Committee has now concluded its consideration of agenda item 48.

The meeting rose at 1.5 p.m.