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### DISARMAMENT COMMISSION

#### VERBATIM RECORD OF THE ONE HUNDRED AND FORTY-NINTH MEETING

Held at Headquarters, New York,  
on Tuesday, 29 May 1990, at 4 p.m.

Chairman:

Mr. SUTRESNA

(Indonesia)

- Report of the Disarmament Commission to the General Assembly at its  
forty-fifth session

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The meeting was called to order at 5 p.m.

REPORT OF THE DISARMAMENT COMMISSION TO THE GENERAL ASSEMBLY AT ITS FORTY-FIFTH SESSION

The CHAIRMAN: In accordance with our programme of work, we are approaching the final stage of our work at the current session, the consideration and adoption of the reports of the subsidiary bodies, including consultation groups, on the various agenda items, as well as the report of the Chairman on agenda item 7. These are contained in conference room papers A/CN.10/1990/CRP.2 to 10.

In accordance with the agreed programme of work, we should begin our concluding statements immediately after we adopt the report of the Commission as a whole.

We shall now begin our consideration and adoption of reports on individual agenda items. In doing so, I shall call on the Chairman of each Group to introduce the Group's report. I shall consider first the report of the Committee of the Whole on agenda item 4 as contained in conference room paper A/CN.10/1990/CRP.3.

The Committee of the Whole established a contact group to consider the subject. After 10 meetings, the Group produced a document containing recommendations, which are annexed to its report. At its third meeting, held on 24 May, the Committee of the Whole adopted the report on agenda item 4 and concluded its consideration of the item. As agreed a while ago at this afternoon in the Committee of the Whole, the title of the report will be amended.

Are there any comments on the document under consideration?

Mr. AKALOVSKY (United States of America): I apologize if I missed something in conference room paper A/CN.10/1990/CRP.2 -- probably I did -- but I was just interested in the statement in paragraph 5 of conference room paper A/CN.10/1990/CRP.3 to the effect that:

"The Contact Group is of the view that the appropriate course of action in respect of the subject of the current item 4 of the agenda should be considered by the Disarmament Commission." (A/CN.10/1990/CRP.3, para. 5)

I do not find any reference in A/CN.10/1990/CRP.2 to such consideration and possible decision. I may have missed it, and if I did, I stand corrected, of course.

The CHAIRMAN: We have not considered document A/CN.10/1990/CRP.2 as yet.

If there are no other comments, I shall take it that the Commission wishes to adopt the report of the Committee of the Whole on agenda item 4 (a) and (b), as contained in conference room paper A/CN.10/1990/CRP.3, with its amended title, as was agreed.

Mr. AKALOVSKY (United States of America): I am sorry, Sir. I do not mean to delay our proceedings but I see in the reports of other groups that there is a statement to the effect that consideration of the item was concluded, but in this report contained in conference room paper A/CN.10/1990/CRP.3 it says that the Contact Group concluded the consideration of the item, but then reference is made to some further consideration by the Disarmament Commission. Are we going to have that in each case, or just in the case of this item?

The CHAIRMAN: As I see it, it is only on this item. I hope the point has been clarified for the representative of the United States.

Mr. AKALOVSKY (United States of America): My question, which I have not posed yet, is: Why?

The CHAIRMAN: This precise formulation was first adopted by the Contact Group, and then later adopted by the Committee of the Whole in toto.

Mr. AKALOVSKY (United States of America): I realize all that, of course, and I was involved in the adoption, but my understanding at the time was that the officers of the Commission would consider perhaps eventually - not necessarily at this stage - a general formula with respect to any and all items that would be included on our agenda for this year. I am raising this question - and as I said before, I do not want to delay the proceedings - because it seems to me that we ought to consider the possibility of having a general formula that would be applicable to all items equally, since under the programme all items are to be reported out this year and their consideration included without any further action, as it were, as is called for in this paragraph, by the Disarmament Commission.

The CHAIRMAN: Members have heard the intervention of the representative of the United States. As I said, this formula was discussed and agreed on by the Contact Group and it was also adopted by the Committee of the Whole. Of course, I am in the hands of members as to whether the Commission will agree to the deletion of this part of the paragraph.

Mr. DUARTE (Brazil): Frankly, I do not see why we should delete what was agreed on by the Committee of the Whole and by the Contact Group before it, and I think it is entirely proper that the Disarmament Commission consider the question, as was suggested to it by both the Committee of the Whole and the Contact Group. What, of course, the suggestion did not state is at what time the Commission would deem it appropriate to consider the item. It may consider it at any time that it thinks it is appropriate to do so.

Mr. GARCIA MORITAN (Argentina) (interpretation from Spanish): I should just like to say that I certainly agree with the comments of the representative of Brazil. If the Committee of the Whole adopted this provision, I see no reason why we should alter it now.

Mr. AKALOVSKY (United States of America): Maybe there is some misunderstanding. When this formulation was considered in the Contact Group, my impression, or at least my understanding, was that the question what to do with this item would be considered at this session of the Disarmament Commission, not at some time in the future. That is why I raised the question of the lack of any reference to the consideration of this issue in conference room paper A/CN.10/1990/CRP.2, which, as the Chairman has rightly pointed out, has not yet been considered here, but I am not going to press the point.

The CHAIRMAN: I thank the representative of the United States for his understanding.

I shall take it that the Commission now wishes to adopt the report of the Committee of the Whole on agenda item 4 (a) and (b), as contained in conference room paper A/CN.10/1990/CRP.3, with its title amended, as was agreed.

The report of the Committee of the Whole, as amended, was adopted.

The CHAIRMAN: I should like now to take up the report of Working Group I on agenda item 5, regarding the question of South Africa's nuclear capability, as contained in conference room paper A/CN.10/1990/CRP.4.

I call on the Chairman of the Group, Ambassador Jai Pratap Rana, the representative of Nepal, to introduce the report of the Group.

Mr. RANA (Nepal), Chairman of Working Group I: I have the honour, on behalf of Working Group I, to introduce the report of the Group on its consideration of agenda item 5, concerning the nuclear capability of South Africa. The report is contained in conference room paper A/CN.10/1990/CRP.4.

(Mr. Rana, Chairman,  
Working Group I)

The proliferation of nuclear weapons, both vertical and horizontal, has been a matter of great concern to the international community. In the specific case of South Africa, the matter assumes particular significance and relevance, in view of the solemn Declaration on the Denuclearization of Africa adopted by the Organization of African Unity (OAU). This Declaration has been endorsed by the General Assembly.

(Mr. Rana, Chairman,  
Working Group I)

In resolution 418 (1977), the Security Council expressed its grave concern that South Africa was, at that time, at the threshold of producing nuclear weapons and it called on all States to refrain from any co-operation with South Africa in that regard. The question has now been under consideration by the Disarmament Commission for a decade. As South Africa persists in its universally condemned policy of apartheid, it is clear that its activities in the nuclear field will only serve to heighten security concerns in the volatile region of southern Africa.

I am happy to report that Working Group I has reached a consensus on this important item. The conclusions and recommendations of the Working Group, though a result of protracted negotiations and compromises, contain and convey a clear message to South Africa that the international community is deeply concerned about its nuclear capability and that all efforts should be made to prevent South Africa from moving further on that dangerous course. I commend the report for adoption by the plenary meeting by consensus.

I wish to take this opportunity to express my deep appreciation to all delegations for the good will and the constructive spirit of co-operation they displayed throughout the process of informal and formal consultations on this important subject. I wish, in particular, to express my thanks to the representatives of Belgium and Ghana, Mr. Raoul Delcorde and Mr. Nelson Dumeri, respectively, who worked tirelessly to help me co-ordinate the intensive informal consultations that we carried out, thereby greatly facilitating the achievement of consensus. I believe I speak for the Group as a whole in expressing our great appreciation to the Secretary of the Working Group, Mr. Sammy Kum Buo, for the very able manner in which he assisted the Working Group. Our appreciation also goes to the other Secretariat staff, including the interpreters, conference officers,

(Mr. Rana, Chairman,  
Working Group I)

technicians and others, who, with their usual efficiency and competence to which we have become accustomed, serviced our meetings.

In conclusion, Mr. Chairman, I wish to express my deep gratitude to you for your kind understanding, advice and guidance throughout this period of work. It has been an honour and pleasure for me to work under your able leadership.

Ms. AL-ALAWI (Bahrain) (interpretation from Arabic): With respect to the report of Working Group I on South Africa's nuclear capability, in conference room paper A/CN.10/1990/CRP.4, we should like, on behalf of the Arab Group, which we have the honour to chair this month, to express our appreciation for the intensive informal and formal consultations that have taken place in order to reach the desired conclusions. We should like to request that consideration be given to the establishment of contacts with the delegations concerned with this question, to ascertain their positions and any proposals they might have. In this connection, I should like to mention that many Arab delegations have repeatedly sought to express their concern at the nuclear capability of South Africa and have submitted concrete proposals, including proposals concerning the declared military collaboration between Israel and South Africa, a collaboration recognized by both countries, in violation of resolutions of the Security Council and the General Assembly. The Arab countries also called attention to the General Assembly resolutions in this regard, the most recent of which was resolution 44/113 B. However, those proposals were not taken into account. At another stage in the consultations, a different paper was suggested to us, which did not mention that resolution or that collaboration. We would have expected inclusion of such a reference, in view of the danger to which the African continent, the Mediterranean region and the Middle East region are exposed.



(Ms. Al-Alawi, Bahrain)

However, in response to the appeals made by our colleagues from the African States and in view of the agreement achieved in that regard, the Arab Group decided not to stand in the way of a consensus on this question. At the same time, we should like to stress the importance of expanding the informal consultations in the future and of holding formal meetings of working groups at different stages of the consultations so that all delegations may be able to contribute to the process of such consultations at all stages.

Mr. MFULA (Zambia): On behalf of my delegation, I wish to thank the Chairman of our Working Group, the Ambassador of Nepal, who worked tirelessly to ensure that a consensus would emerge with regard to agenda item 5. I should like to place on record my delegation's view that the African Group also would have wished to have a strong document on this item. We took into account the views expressed by other regional groups and, in the interest of consensus, we decided to go along with the views of those who participated in the work of the Working Group. In deciding to do so, we took into account the fact that the main elements of what we wanted to see featured in the document were, indeed, included. First and foremost was the element that we should bring to the attention of the international community the fact of South Africa's nuclear capability and appeal to all those that have been collaborating to cease such collaboration with the racist régime. All that has been done in line with the Declaration on the Denuclearization of Africa adopted by the Organization of African Unity.

My intervention at this point is merely to express our gratitude to the Chairman of the Working Group and to all those who went along with the wishes of the majority in the Working Group so that a consensus could be achieved at this session. My delegation hopes that nothing said at this session will in any way impede the effective implementation of the recommendations made at the session.

The CHAIRMAN: May I take it that the Commission wishes to adopt the report of Working Group I on agenda item 5, as contained in conference room paper A/CN.10/1990/CRP.4?

The report of Working Group I was adopted.

Mr. KENYON (United Kingdom): My delegation is delighted that we have this year been able to reach consensus on a set of conclusions and recommendations on the subject of South Africa's nuclear capability. After so many years of debate on this subject, we have at last been able to make progress, thanks to the skill and patience of the Chairman of the Working Group, Ambassador Rana, and the spirit of compromise shown by all delegations.

Following the adoption by consensus of the report of Working Group I on item 5, I wish to make the following observations. First, my delegation does not accept that South Africa has an existing nuclear capability in the sense of possession of nuclear weapons. Secondly, we have noted the closure on 1 February this year of the pilot uranium enrichment plant at Pelindaba. Finally, we note that South Africa has expressed an interest in acceding to the Treaty on the Non-Proliferation of Nuclear Weapons.

Mr. BAUME (France) (interpretation from French): My delegation welcomes the adoption of the report of Working Group I on South Africa's nuclear capability. I wish to thank the Chairman of the Group, Ambassador Rana of Nepal, for his tireless efforts in the search for a balanced compromise text. The French delegation joined in the consensus on the report, but we should like, nevertheless, to emphasize the fact that it is our view that this text should be considered as a whole and that each of its elements should be understood in the light of the other components. Furthermore, if France fully subscribes to the objective clearly affirmed in the text, that is, to contribute to the prevention of any employment by South Africa of its nuclear capability for armament purposes, we cannot accept, in

(Mr. Baume, France)

the absence of further proof, the existence of a proven ability on the part of South Africa to manufacture nuclear weapons.

Mr. AKALOVSKY (United States of America): My delegation also has some comments and observations to make in connection with the report of Working Group I on agenda item 5. However, my delegation will offer those comments and observations later in our proceedings when my delegation presents its concluding statement.

The CHAIRMAN: We shall now consider the report of Working Group II on agenda item 6, regarding the review of the role of the United Nations in the field of disarmament, as contained in conference room paper A/CN.10/1990/CRP.5. I call on the Chairman of Working Group II, Ambassador Roberto Garcia Moritan of Argentina, to introduce the report of the Group.

Mr. MORITAN (Argentina), Chairman of Working Group II (interpretation from Spanish): It is my pleasure to present the report of Working Group II on agenda item 6, entitled "Review of the role of the United Nations in the field of disarmament", contained in conference room paper A/CN.10/1990/CRP.5.

The report of the Working Group is the result of intense debate in the Commission this year and in previous years. It would not be fair to divorce the results achieved this year from the efforts made in the past by the Ambassador of Cameroon. The results shown in the report also reflect the willingness shown by delegations to work towards a common goal without abandoning their positions of principle.

In carrying out its task the Working Group had before it the documents listed in paragraph 3 of the report. The Working Group held 15 meetings. At its 9th meeting, on 18 May, I requested Ambassador Sergio de Queiroz Duarte of Brazil to replace me, as a Friend of the Chairman, in the conduct of the negotiations in the Working Group. I should point out that under his skilful leadership the Working

(Mr. Moritan, Chairman,  
Working Group II)

Group managed to adopt by consensus the document now before the Commission.

I should like, on behalf of the Working Group and, in particular, on my own behalf, to express our admiration and gratitude to Ambassador Sergio de Queiroz Duarte for the work that he performed. I should also like to express our appreciation to the Secretary of the Working Group, Miss Agnes Marcaillou and to her assistant, Brigitte Alleaume, without whose co-operation it would have been difficult to achieve such successful results. In accordance with the decision adopted by the Disarmament Commission at its 143rd plenary meeting, the Working Group decided, at its 15th meeting on 25 May, to conclude its consideration of the item and it adopted by consensus the text contained in conference room paper

A/CN.10/1990/CRP.5. I am pleased to announce that the Group adopted the report by consensus.

I should like in conclusion to express my thanks and appreciation to you, Mr. Chairman, for the way in which we were able to work and for the leadership that you have demonstrated in the Disarmament Commission.

The CHAIRMAN: May I take it that the Commission wishes to adopt the report of Working Group II on item 6, regarding the review of the role of the United Nations in the field of disarmament, as contained in conference room paper A/CN.10/1990/CRP.5?

The report of Working Group II was adopted.

The CHAIRMAN: I should like to take up now the report of the Chairman on item 7, regarding naval armaments and disarmament as contained in conference room paper A/CN.10//1990/CRP.6. As the members of the Commission will recall, the Commission decided that, as last year, the Chairman of the Commission would report on the item in consultation with the Co-ordinator of the Consultation Group on the item and interested delegations. Pursuant to the decision of the Commission, I produced the report I have just mentioned.

The substantive account of the work of the Consultation Group is given in conference room paper A/CN.10/1990/CRP.10. In this connection I should like to inform the Commission that in paragraph 4 of paper A/CN.10/1990/CRP.6 the indication in brackets should be replaced by the words, ", as annexed,".

I invite Ambassador Wisnumurti, Co-ordinator of the Group, to introduce, on behalf of the Chairman of the Commission, the report on the outcome of the Group's deliberations on the subject.

Mr. WISNUMURTI (Indonesia), Co-ordinator of the Consultation Group: At its 143rd meeting, on 7 May 1990, the Chairman of the Disarmament Commission decided to follow last year's course of action and to hold, under his responsibility, substantive and open-ended consultations on item 7, regarding naval armaments and disarmament. In accordance with that decision you, Sir, delegated the actual conduct of the substantive and open-ended consultations to me, as a Friend of the Chairman.

The Disarmament Commission also decided, at the 143rd meeting, to conclude the substantive and open-ended consultations on item 7 during the current session of the Commission. Accordingly, I have conducted substantive and open-ended consultations on item 7, regarding naval armaments and disarmament, in a

(Mr. Wisnumurti, Co-ordinator,  
Consultation Group)

consultation group, which held 13 meetings between 9 and 25 May. Mr. Lin Kuo-Chung from the Department for Disarmament Affairs served as Secretary of the Consultation Group. In the course of the work of the Consultation Group I also conducted informal consultations with interested delegations on special aspects of the subject, in order to facilitate our work.

In addition to last year's documentation the Consultation Group had before it a working paper submitted by Finland, Indonesia and Sweden (A/CN.10/139). The Consultation Group agreed to use the Chairman's paper (A/CN.10/134) as a basis for discussion. In order to facilitate the discussion I introduced the draft Chairman's paper (A/CN.10/1990/item 7/CRP.1).

The substantive and open-ended consultations have resulted in a number of substantive findings on new aspects of the subject and recommendations formulated in consensus language that met the concerns of all delegations participating in the consultations. They are contained in the Chairman's paper which is now before the Commission, A/CN.10/1990/CRP.10.

At this juncture I wish to draw the attention of the Commission to page 2 of the paper, where several corrections should be made.

First, a new subparagraph (p) should be inserted after subparagraph (o), to read:

"(p) Chairman's paper on agenda item 8 (A/CN.10/134)".

Secondly, in the first sentence of paragraph 3 the words "Chairman of the" should be inserted before the words "Disarmament Commission".

In the second line, the words ", under his responsibility," should be inserted between the words "hold" and "substantive".

(Mr. Wisnumurti, Co-ordinator,  
Consultation Group)

There is another minor error to be corrected in paragraph 18. In the second to last sentence of that paragraph the word "of" should be inserted before the words "a naval element".

As agreed by the Consultation Group, elements and principles already accepted at previous sessions of the Commission were retained and consolidated. In addition, the Group agreed to incorporate new elements and principles, which now appear in paragraphs 6 to 13, in paragraphs 15 to 23, and in paragraphs 25 and 26. It is not my intention to elaborate on the new elements and principles I have just referred to. Suffice it to say that conference room paper A/CN.10/1990/CRP.10, which is before the Commission, reflects important substantive progress in our effort to find a wider common ground on naval armaments and disarmament and furthers mutual understanding of the general trends of the current thinking, objectives and measures on the subject. This significant achievement was made possible by good will and a high degree of co-operation shown by all delegations participating in the consultations. It is my sincere hope that the valuable collective work that has gone into the report in A/CN.10/1990/CRP.10 will not be lost and that it will contribute to the work of the Disarmament Commission towards the achievement of its goals and objectives.

Let me conclude by expressing my sincere appreciation to you, Mr. Chairman, for your thoughtful guidance and to all delegations participating in the substantive and open-ended consultations for their positive contributions and co-operation. On behalf of the Consultation Group I should like to thank the Secretary and the Deputy Secretary of the Group, Mr. Lin Kuo-Chung and Ms. Florence Lee respectively, and their staff, for their valuable assistance to the Group and to me.

The CHAIRMAN: As was agreed in the Committee of the Whole, there is also an omission in paragraph 3 of conference room paper A/CN.10/1990/CRP.6. In addition to the change introduced by Mr. Wisnumurti in paper A/CN.10/1990/CRP.10, the words ", under his responsibility," should be inserted between the words "hold" and "substantive" in paragraph 3 of A/CN.10/1990/CRP.6.



Mr. AKALOVSKY (United States of America): I have several comments to make in connection with this item.

First, your consultations, as is rightly stated in the report, Mr. Chairman, are now in three places, I believe. Those consultations were initiated by you on your own responsibility, so the Disarmament Commission as such did not take any such decision; it was your own decision.

Secondly, in the light of that situation, the report on item 7 cannot be adopted by the Commission as such. It can be endorsed or concurred in by those who have participated in these negotiations. Certainly my delegation did not participate in such consultations and is not in a position to approve or adopt, or endorse, the working paper containing substantive parts of the results of those consultations.

Finally, the proposed change in paragraph 4 of A/CN.10/1990/CRP.6 is not in keeping with the procedure followed last year and in previous years and in fact in paragraph 3 it is stated that the Chairman of the Commission decided to follow last year's course of action. Well, the course of action last year, unlike this year's, involved the reports and the proceedings on these consultations being contained in a separate document, a working paper, referred to by a number in the report of the Commission.

In the course of our informal consultations since last December my delegation has repeatedly inquired whether the intention was to proceed in the same way as had been done in previous years so far as the handling of this item was concerned. We received assurances that this would be the case. Unfortunately, the proposed change deviates from past procedure and my delegation is not in a position to endorse that change.

The CHAIRMAN: I believe all members of the Commission will recall the process we have gone through in arriving at a consensus on how we should treat the

(The Chairman)

outcome of the consultations conducted by the Chairman on item 7. Suffice it for me to say at this stage that we had gone from one extreme to the other but, thanks to the spirit of co-operation and understanding displayed by all delegations from the very beginning when I conducted these consultations, we arrived at a situation where at the beginning of the substantive session we could agree to two texts on the arrangement, on the basis of which the consultations proceeded. We have now heard the outcome of those consultations.

The remaining text, the last of the three texts on item 7, concerned only the placement of the outcome of the deliberations of the consultations in the report. In the Chairman's effort to come to an amicable solution acceptable to all delegations, the Chairman proposed that the outcome of the consultations should be placed in an annex. The Commission is, I think, fully aware that this is the last year in which the Commission would consider this item so there was a concerting of views among delegations participating in the consultations as well as in the consultations with interested delegations, that there was a need to have a record of the consultations on item 7, so it was merely for those purposes that the outcome of the deliberations was placed as an annex to the report of the Commission. (

Mr. NOREEN (Sweden): My delegation fully supports the proposed change that you, Sir, have introduced into paper A/CN.10/1990/CRP.6, paragraph 4.

Mr. HOU Zhitong (China) (interpretation from Chinese): The Chinese delegation thanks the Chairman and the Friend of the Chairman. The efforts made by them in this connection and the consultations conducted by them have been very useful. Those consultations have resulted in positive progress and results. Certainly important progress should not be lost. We believe that it should be reflected in the report of the Commission in an appropriate form. That is also in agreement with the relevant resolutions adopted by the General Assembly of the United Nations. The proposal made by you, Mr. Chairman, is totally in accordance

(Mr. Hou Zhitong, China)

with the actuality of the consultations conducted. The Chinese delegation fully supports the proposal made by the Chairman to include the results of the consultations in the report.

Mr. MORITAN (Argentina) (interpretation from Spanish): The work carried out by you, Mr. Chairman, and by the Friend of the Chairman, Ambassador Wisnumurti, has been particularly apt and we think that the results of those efforts need to be properly reflected in the Commission's report. For that reason we would like to support the suggestion made by you for an amendment to paragraph 4.

Mr. KRASULIN (Union of Soviet Socialist Republics) (interpretation from Russian): Mr. Chairman, the Soviet delegation fully and whole-heartedly supports the proposal you have just made. We assume that the document prepared by the Working Group on naval armament and disarmament reflects the positions of 158 out of 159 Member States, and we therefore consider that its contents should not be lost in an anonymous document but should be duly reflected in the report of the Commission.

The CHAIRMAN: I propose that we now adjourn this meeting and reconvene, as planned, at 7 p.m.

Mr. MELLBIN (Denmark): I propose that, rather than adjourning this meeting and reconvening in one hour's time, we continue the present meeting until what I hope will be the not-so-bitter end.

Mr. BAUME (France) (interpretation from French): My delegation supports the proposal of the representative of Denmark. If we take a one-hour break, I fear we shall meet until very late.

Mr. AZIKIWE (Nigeria): My delegation agrees with the representatives of Denmark and France that we should continue with our work uninterrupted.

Mr. MORRIS (Australia): My delegation would like to join the circus; we too add our voice in calling for a change in what is clearly a very inefficient arrangement. There may be practical difficulties with the interpretation, but clearly it would be more efficient for the Commission to work until it concludes its business rather than having a one-hour break.

The CHAIRMAN: I fully sympathize with the remarks just made by members. The problem is that a new team of interpreters will be starting at 7 o'clock, and we cannot extend the time allocated for this afternoon's meeting beyond 6 o'clock.

Accordingly, the Commission will meet again at 7 p.m. sharp.

The meeting rose at 5.55 p.m.