DISARMAMENT COMMISSION

VERBATIM RECORD OF THE SEVENTH MEETING

Held at Headquarters, New York
on Tuesday, 12 December 1978, at 10.30 a.m.

Chairman: Mr. VELLODI (India)

- Review of the draft resolutions adopted by the First Committee
  at the thirty-third session of the General Assembly relating to
  the Disarmament Commission (continued)

- Provisional agenda for the session of the Disarmament Commission
  to be held in May/June 1979 (continued)

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consolidated in a single corrigendum, to be issued shortly after the end of the
session.

78-70651
The meeting was called to order at 11:10 a.m.

REVIEW OF THE DRAFT RESOLUTIONS ADOPTED BY THE FIRST COMMITTEE AT THE THIRTY-THIRD SESSION OF THE GENERAL ASSEMBLY RELATING TO THE DISARMAMENT COMMISSION (continued)

PROVISIONAL AGENDA FOR THE SESSION OF THE DISARMAMENT COMMISSION TO BE HELD IN MAY/JUNE 1979 (continued)

The CHAIRMAN: Yesterday, at the 6th meeting, we had a fairly lengthy discussion on the various items on the agenda of this brief organizational session, and it is my understanding that most of the points that need to be discussed at this session were touched upon during the debate yesterday. We have therefore to decide how to proceed further and conclude the work of this session, which, as I mentioned yesterday, must be concluded today.

We had a meeting of the Bureau this morning, and the reason for the delay in starting this meeting, for which I apologize, is that at that meeting we decided that it would be useful if we were to have some agreed conclusions that would form part of our records.

This meeting of the Disarmament Commission is not expected or required to submit a report, as we had to do for the first session. At that session we were required to submit a report to the thirty-third session of the General Assembly. For this second organizational session such a report is not required. At the same time, we felt that the points we had touched upon in the discussions yesterday might be put in the form of general conclusions, which could be read into the record. The reason for the delay is, then, that the conference room paper containing the text the Bureau would like to submit for the Committee's consideration is now being reproduced, and copies will be available in perhaps 10 minutes or so.

In order to utilize the Committee's time, with its permission I should like to read out the text that will be distributed to it within the next quarter of an hour. It states:

"In its report to the thirty-third session of the General Assembly the Disarmament Commission stated, inter alia, that it 'considers that in the light of the decisions taken at the thirty-third session of the General Assembly which may have a bearing on the agenda of the 1979 session of the Commission, it might be useful for the
Commission to hold another organizational session towards the end of the thirty-third session of the Assembly.'

"Pursuant to the above suggestion the Disarmament Commission met at United Nations Headquarters on 11-12 December 1978 for a second brief organizational session. During this period, the Commission held ______ meetings.

"At its sixth meeting, the Disarmament Commission adopted the following agenda:" -

and then we list the five items contained in the agenda we adopted yesterday.

The heading of the next paragraph is "Review of the draft resolutions adopted by the First Committee at the thirty-third session of the General Assembly relating to the Disarmament Commission". That paragraph reads:

"The Commission noted that the following resolutions adopted by the First Committee had a bearing on the future work of the Disarmament Commission:".

And then we have listed the five resolutions to which we referred yesterday during our discussion. The text continues:

"The Commission also had before it the Secretary-General's statement on 'the administrative and financial implications of the draft resolution contained in document A/C.1/33/L.19.'"

The next paragraph, which is rather important, is headed "Provisional agenda for the session of the Disarmament Commission to be held in May/June 1979". It reads:

"In conformity with its mandate contained in paragraph 118 of the Final Document of the special session and taking into account the resolutions adopted by the First Committee at the thirty-third session of the General Assembly, the Disarmament Commission tentatively agreed that, subject to the General Assembly, in plenary, approving the above mentioned resolutions already adopted by the First Committee, the provisional agenda of its first substantive session, to be held in May/June 1979, shall include the following:
"1. Opening of the session.
2. Adoption of the agenda." These are routine items.
3. Consideration of the elements of a comprehensive programme on disarmament.
4. Consideration of various aspects of the arms race, particularly the nuclear arms race and nuclear disarmament, in order to expedite the negotiations aimed at effective elimination of the danger of nuclear war.
5. Harmonization of views on concrete steps to be undertaken by States regarding a gradual agreed reduction of military budgets and reallocation of resources now being used for military purposes to economic and social development, particularly for the benefit of the developing countries, noting the relevant resolutions of the General Assembly."

Then you will have another item "6. Other business".

Then there is another paragraph which reads as follows:

"The Commission further agreed that its Bureau will meet during the week preceding the session of the Commission in May/June 1979 to consider any subsequent developments which could have a bearing on the work of the Commission and to finalize the provisional agenda for circulation to the members of the Commission."

I would like to offer one or two words of explanation. Thereafter if the conference room paper is still not here we may have to have a brief suspension of the meeting for about 10 minutes.

Yesterday we had a fairly lengthy discussion on paragraph 125 of the Final Document. I think it was a useful discussion and it did help, at least to some extent, in clearing up some doubts representatives had in mind.

Now, as I indicated yesterday, resolution A/C.1/33/L.16/Rev.1 is fairly clear. It requests the Secretary-General to transmit to the deliberative and negotiating as well as studying organs dealing with the
question of disarmament all the proposals and suggestions listed in paragraph 125 of the Final Document, etc., and further requests the United Nations Disarmament Commission and the Committee on Disarmament to report on the state of the consideration of these proposals and suggestions to the General Assembly at its thirty-fifth session.

Therefore, as I mentioned yesterday, once this resolution is adopted in plenary session, the Secretary-General will be required to send a communication or communications. As far as the Disarmament Commission is concerned there will be a communication from the Secretary-General. We can certainly assume that there will be such a communication, but precisely what that communication will contain we cannot be very clear on at this moment. It may well be that such a communication coming from the Secretary-General will ask the Disarmament Commission to consider certain things which will have to be placed on the agenda of the substantive session in May.

It is for this reason that the Bureau felt that the finalization of the provisional agenda should take place after the Bureau meets just before the session in May-June. What we agree to now and what will become part of our records will certainly help Governments to understand what are the issues likely to be discussed in May-June 1979, and these are listed. But that may not be the whole of it. That is why in the statement we are saying that the provisional agenda "shall include" the following, because it may well be that when the Bureau meets just prior to the session, there may be certain developments which will have to be taken into account and the provisional agenda will be finalized then. It will not be adopted because the adoption of the agenda is a matter for the Disarmament Commission. But the provisional agenda itself will be finalized and distributed to the members of the Commission before the session begins.

We felt that this was perhaps the most appropriate way of looking after one or two problems that have arisen, particularly the problem relating to resolution A/C.1/33/L.16/Rev.1. In other words, at this session
the Commission is not finalizing the provisional agenda. For the benefit of Member States and members of the Commission, we are giving indications of what are the likely issues to be considered in the May session. The provisional agenda itself will be looked into again by the Bureau when it meets just prior to the session. Then the provisional agenda will be circulated and when the Commission meets it will then look at the provisional agenda and adopt it.

We are still waiting for the paper from the Secretariat. Are there any observations?

Ihr. TANASA (Romania): The Romanian delegation has listened with great interest to the suggestions and proposals expressed by the Chairman and by other representatives. We have already spoken in the debate during this session of our Committee. The Romanian delegation would like to raise some considerations in connexion with the problems which are being discussed now.

As far as the question whether we should have a general debate during the coming substantive session of the Commission, we believe, as other representatives have pointed out, that it would be desirable to have a short period for an exchange of views or for explanations of the points of view which States will transmit in connexion with the comprehensive programme on disarmament. My delegation would also agree with the alternative of having an exchange of views simultaneously with the discussion in a plenary committee or in any other open-ended working groups.

As far as the agenda of the future session is concerned, we think that the resolutions mentioned - that is, A/C.1/33/L.9, A/C.1/33/L.11/Rev.1, A/C.1/33/L.16/Rev.1, A/C.1/33/L.19/Rev.1 and A/C.1/33/L.23, as well as other resolutions - contain elements which the Commission has to consider. At the outset, we believe that among the items of the agenda there should definitely be included as a matter of priority the questions relating to the comprehensive programme on disarmament, the various aspects of the arms race, particularly nuclear war and nuclear disarmament, for effective elimination of the risks a nuclear war, as well as the harmonization of views on concrete steps regarding a gradual agreed reduction of military budgets and reallocation of the resources now being used for military purposes to economic and social development.
As regards the proposals of States contained in paragraph 125 of the Final Document of the special session, as well as draft resolution A/C.1/33/L.16/Rev.1, the Romanian delegation considers that the most important element, which we think fully answers the question asked by some delegations, is the provision in paragraph 125 according to which the proposals and suggestions "... have become an integral part of the work of the special session of the General Assembly..." (resolution S-10/2)

and need to be thoroughly studied by the deliberative and negotiating organs in the field of disarmament in the same way as the other documents of the special session.

We do not think that it is necessary to establish which of these proposals, if any, should be examined by the Disarmament Commission, or to ask ourselves if the Commission has to examine them before or after other bodies have done so. For us, the sense of paragraph 125 of the Final Document is quite clear: each organ—deliberative or negotiating—will receive all the documents of the special session, as well as the proposals and comments of the present session, and, depending on the objective of each period of their proceedings, they have the duty to take as the basis of their deliberations and conclusions the pertinent elements contained in each document.

As regards the studying organs in the field of disarmament, we believe that it was a good idea to include in operative paragraph 1 of draft resolution A/C.1/33/L.16/Rev.1 the provision that they should receive officially the proposals and suggestions of the special session and thus will, in turn, have the obligation to examine the proposals of States and to select those suggestions which are to be included in the comprehensive study.

The question is not—and it cannot be—that these studying organs be given censorship prerogatives or the power of evaluating the proposals submitted by States, which, in fact, would have the character of affecting the sovereign rights of States, on whose observance the whole of the activity of the Organization is based.

Consequently, it is inappropriate to make any other interpretation of paragraph 125 of the Final document and draft resolution A/C.1/33/L.16/Rev.1.

Each body should, when discussing the tasks it plans to deal with, take into consideration all the appropriate elements from the documents officially received and from those submitted by Governments.
We suggest, as one possibility, the indication, with regard to each item of the agenda or the agenda as a whole of the Disarmament Commission, that the basis for the deliberations will be all the documents of the special session, including the proposals and suggestions contained in paragraph 125 of the Final Document, and those of the present regular session.

The CHAIRMAN: Does any other representative wish to speak at this stage? As such is not the case, I suggest that we suspend the meeting, since I am advised that Conference Room Paper No. 3 will be available to the Committee very shortly, and representatives might wish to be allowed a few minutes to acquaint themselves with it.
The meeting was suspended at 11.35 a.m. and resumed at 11.55 a.m.

The Chairman: Members of the Committee have now had time to go through Conference Room Paper No. 3, which has been circulated, and I should like to invite comments.

Mr. GARCIA ROBLES (Mexico) (interpretation from Spanish): Following a misunderstanding, for which I apologize profusely, my delegation was unable to take part in the Bureau meeting which was held this morning. If I had been at the meeting I would have been able to say then what I am going to say now.

I will confine myself for the time being to two brief comments. First, in order to be quite clear and precise on the matter of the provisional agenda, I think it would be a good idea to add on page 3, to form part of paragraph 5, under the heading "Provisional agenda for the session of the Disarmament Commission to be held in May/June 1979", a new paragraph, at the margin, and after item 6, to read:

(spoke in English)

"The above provisional agenda should be understood to be subject to the provisions of paragraph 12 of the Report of the Disarmament Commission to the thirty-third session of the General Assembly, wherein it was decided that the consideration of the elements of a comprehensive programme of disarmament should be accorded priority at the Commission's session in May-June 1979."

(continued in Spanish)

Following the statement made by the representative of Yugoslavia, and bearing in mind the explanations he gave yesterday at the Bureau meeting, my delegation considers that the proposed items 4 and 5, which are so broad as to encompass everything to do with disarmament, should be examined only if time permits, that is to say if we have concluded discussion of items which have absolute priority and there is still time left.

My second comment is that some of us already have other engagements for the days preceding the May-June session of the Commission. As far as I am concerned, it is an honour - this is shared by several other members of the Commission - to be a member of the Advisory Board on Disarmament Studies, which will be meeting on 30 April to 9 May. May 9 is a Wednesday, so I have a proposal to put to you.

Let us be more specific and let us decide to meet on Thursday and Friday, 10 and 11 May. It seems to me that, bearing in mind the restricted number of Members and the few items on the agenda, two days would be ample.

Mr. AKRAM (Pakistan): My delegation has had an opportunity to glance very quickly through the draft report which you, Mr. Chairman, have so very kindly prepared for us, and we would like to express our gratitude to you and to those who have assisted you in the preparation of this document.

I should like to make some preliminary comments on the text. First of all, I believe that one issue of principle should be decided upon by the Commission straightaway and it is that the finalization of the agenda of the Disarmament Commission is a function which has to be performed by the Commission itself and not by anyone else. My delegation has the utmost confidence in you, Sir, as our Chairman and in the members of the Bureau. But I am afraid that the finalization of the provisional agenda as provided for in paragraph 6 of Conference Room Paper No. 3 is something which is outside the competence of the Bureau.
We would submit that the Commission ought to recommend a provisional agenda at this meeting, if possible, and once it begins its session in May-June 1979 it can take up such other suggestions, views and proposals as may have been received by the Secretariat from Member States in order to broaden, expand or delete items from the agenda.

The function of the Bureau we think is to organize the session, to facilitate the work of the Disarmament Commission and so forth. It is not to consider issues of substance which arise from the consideration of the agenda items.

The second point that I think we ought to consider, and ought to remind ourselves about, is that the Disarmament Commission is a body of the General Assembly and, therefore, has to function by and large according to the rules and procedures and precedents established by the General Assembly. The General Assembly establishes its agenda primarily on the basis of previous decisions, and secondly on the basis of suggestions and proposals made to it by Member States. That, I submit, is the procedure that the Disarmament Commission has to follow as well.

We have an agenda that is constituted basically of items arising from the recommendations of the General Assembly. We have to await suggestions that may be made by Member States for inclusion on the agenda. These suggestions could be for general items or they could be for very specific items.

I think that we should disabuse ourselves of the belief that the Disarmament Commission is a body that will only conduct a sort of general debate on various issues and come to no concrete conclusions. That is not how we interpret the function of deliberating on disarmament issues. We feel that deliberation also requires decisions and concrete recommendations where necessary, appropriate and possible.

Therefore, I think that this provisional agenda, if this is all we can agree to, is nothing other than a provisional agenda which would have to await suggestions that may or may not be forthcoming from member Governments in the interim period. The Disarmament Commission would open its session, the Secretariat would inform us if there is anything additional that has been received in terms of proposals from Governments, and then we would decide what the final agenda of the Disarmament Commission would be.
(Mr. Akram, Pakistan)

My third point is the question of setting priorities. We know that paragraph 12 of the previous report of our Commission did say that the comprehensive programme should have priority. My delegation, although it is not entirely convinced that the elaboration of a comprehensive programme so soon after we have been engaged in the elaboration of a programme for the special session, would be fruitful six months afterwards, is prepared to go along with the consideration of the comprehensive programme as a priority item at the first session of the Commission.
At the same time, we are not prepared, at least at the moment, to include in our decisions at present anything that would imply the exclusion of other items which are on the provisional agenda, or which may be on the provisional agenda. Therefore, I think we shall have to be very careful in drafting whatever recommendation we do draft with regard to the comprehensive programme in order that other issues are not excluded from consideration by the Commission.

A view has been expressed that if we take up other items we will not be able to consider the comprehensive programme. We believe that this need not necessarily be so, especially since we are contemplating a separate committee of the whole. If we have another body meeting simultaneously with this Commission, surely we should be able to take up consideration of more than one issue.

Those are the preliminary comments of my delegation on the draft report. We shall go through it carefully at a later stage to determine any other small changes that may be necessary.

The CHAIRMAN: If I may respond to the points made by the representative of Pakistan, it is my understanding from my limited experience here that while it is true that the Disarmament Commission, and the Disarmament Commission alone, can decide what its agenda should be - in fact the adoption of the agenda is the duty of the Disarmament Commission; I do not think there can be any doubt about that - what we are talking about now is the provisional agenda. I think representatives are aware - at least those who are familiar with the practice of the United Nations - that a provisional agenda is prepared. That provisional agenda is not necessarily prepared by the substantive body which is to consider the issue. Very often it is prepared by the Secretariat. May I repeat that we are here talking about the provisional agenda, and not about the agenda itself.
I would agree with the representative of Pakistan that the Bureau certainly does not have the right to decide on the agenda of the Commission. It is for the Commission itself to decide what its agenda should be, and it is normal practice for the adoption of the agenda to be put as item 2 in any provisional agenda. Therefore, while I would like to hear the views of other Members of the Commission on the point raised by the representative of Pakistan, it seems to me there can be no serious difficulty in the Bureau recommending a provisional agenda which the Disarmament Commission will then look at when it meets. Otherwise, who will prepare the provisional agenda? Or, of course, we can leave it to the Secretariat to prepare the provisional agenda. The point here is that we must have a provisional agenda which will have to be circulated to the members of the Commission before the session begins in May.

It was felt that the Bureau, which is fairly representative of the Commission, could consider, just prior to the session, any further developments that there might have been. For instance, we have had a lot of discussion on paragraph 125. It is quite conceivable that there might be a communication from the Secretary-General addressed to the Disarmament Commission, and it might therefore well be that the communication from the Secretary-General will also have to appear on the provisional agenda of the Commission.

I can understand it if the difficulty in paragraph 6 is with the words "to finalize"—that is, "to finalize" the provisional agenda. One can think in terms of recommending a provisional agenda for consideration by the Commission. I will bow to the wishes of the members of the Commission if it is felt that the Bureau should not look into this. As members of the Bureau, we would not be heartbroken over that. In fact, at the first organizational meeting of the Commission, the feeling was expressed by several delegations that the Bureau should play an even more active role in the work of the Commission, but I should like to hear the views of other members on the particular point made by the representative of Pakistan.
The representative of Pakistan also referred indirectly to the point made by the representative of Mexico who, as I understand it, suggested an addition to the existing passage after the list of the items, which would recall the fact that the Disarmament Commission had indicated that consideration of the elements of the comprehensive programme should have priority. I tend to agree with the representative of Pakistan that it might not be necessary for us to take any decision as to whether other items should be considered. I think the items should be on the agenda; it is then for the Commission to consider how best to conduct its meetings when we meet in May.

I do not believe that the representative of Mexico formally suggested — although he did make a reference to something said yesterday — that the consideration of items other than the comprehensive programme should be taken up if time permits. Personally, I do not believe it is necessary to put that in writing. The agenda is there, and it is for the Commission to deal with the agenda items.

Lastly, the representative of Mexico made a point about the meetings of the Bureau. That is a relatively minor thing which I am sure can be sorted out. He suggested the Bureau should meet on 10 and 11 May, a point which I am quite certain the members of the Bureau can settle.

Mr. Lay (Italy): My delegation expresses its support for the proposal of the representative of Mexico to insert a recommendation in our report to the effect that consideration of the elements of a comprehensive programme of disarmament be given priority in our next substantive session.

Mr. Hadi (Kuwait): I believe that the representative of Pakistan expressed some fear that the words "to finalize" in the penultimate line on page 3 might imply either that we confer on the Bureau the power to make political decisions, or that the Member States will be excluded from suggesting additional items. Perhaps we can allay the fears of the representative of Pakistan if we substitute the word
"revise" for the words "to finalize". Then the Bureau will meet, and will revise the provisional agenda in the sense that they may incorporate in it the communication which may be received from the Secretary-General in accordance with the operative paragraph 1 of draft resolution A/C.1/33/L.16/Rev.1.
I suggest, Sir, if my understanding is correct, that we substitute the word "revise" for the word "finalize", so that we make it clear that Member States will be free at the first substantive meeting of the Disarmament Commission to suggest additional items for the agenda; and, of course, if there should be a consensus, or whatever procedure we may have, that could be incorporated in the agenda.

My second point relates to the additional paragraph suggested by the representative of Mexico. We did agree, I believe - and he quoted a particular paragraph in our report to the General Assembly - to give priority to consideration of the elements of a comprehensive programme on disarmament. That is important, because the Committee on Disarmament in Geneva also is requested in the Final Document of the tenth special session of the General Assembly to elaborate a programme. My understanding is that we would first consider the elements in the light of the views to be expressed by Governments in reply to the questionnaire which will be addressed to them by the Secretary-General and that only after we have finished adopting the elements will they be transmitted to the General Assembly and, through it, to the Committee on Disarmament so that the Committee on Disarmament may elaborate on those elements.

It would, of course, be a waste of time if the Committee on Disarmament were to start during the year 1979 discussing the same matter while we were preoccupied with consideration of the elements. That would simply be an exercise in duplication and would create a conflict between our jurisdiction and that of the Committee on Disarmament.

With regard to the question of priority, I am not quite sure what "priority" means in this sense. Does it mean that we start with consideration of the elements during our substantive session and that we are precluded from discussing any other item on the agenda until we have succeeded in agreeing on those elements; or does it mean that we can discuss the elements while, let us say, a subsidiary organ of the Disarmament Commission may be looking into the other items on the agenda? I would appreciate having some clarification on that point.
The final question I wish to raise is with regard to item 5 of the provisional agenda, which speaks of "harmonization of views on concrete steps". We are familiar with some of those views, which have been expressed over a very long period of time. I wonder whether the Secretariat is contemplating a compilation of those views so that they may be presented to us in a handy form or whether we should engage in research work of our own to gather those views and start considering how we will deliberate on them and what we should do with them? I should appreciate some clarification from the Secretariat on that point.

Mr. LENNUYEUX-COMMIEN (France) (interpretation from French): I have just two remarks to make, because on the whole the paper which you, Mr. Chairman, presented is perfectly acceptable to the delegation of France.

On page 3 of the English text - which is the only one at present available to us - we read that the provisional agenda for the session to be held in May/June 1979:

(spoke in English)
"shall include the following;".

(continued in French)
I am not an expert in English, but I wonder whether the verb "shall" is not too binding? Perhaps we should say "should", since in any case our provisional agenda will be confirmed by the Disarmament Commission at its May session.

Furthermore, I note from the list of the various provisional agenda items some draft resolutions - or at least the provisions of some of them, such as A/C.1/33/L.23 and L.11 - are expressly mentioned, but we refrain from mentioning draft resolution A/C.1/33/L.16/Rev.1. Am I to understand that the next substantive session of our Commission will not be seized of draft resolution A/C.1/33/L.16/Rev.1, since the intention is that the report on that draft resolution should be made only to the thirty-fifth session of the General Assembly? Nevertheless you, Sir, have emphasized that our Commission could be seized of a communication from the Secretary-General in connexion with draft resolution A/C.1/33/L.16/Rev.1 and perhaps at its 1979 session it would be a purely procedural matter to decide what it could do in respect of the communication from the Secretary-General - that is to say, whether the item should be on the agenda for 1980, or whether any other decision should be taken. I think that, as a matter
of proper order, some reference should be made in the provisional agenda to draft resolution A/C.1/33/L.16/Rev.1, so as not to discriminate among the resolutions to be adopted in relation to one another. Obviously the quotations from draft resolution A/C.1/33/L.11 which appear in items 4 and 5 of the provisional agenda on page 3 were not or will not have been adopted by consensus. I have no objection to making reference to or even quoting from draft resolutions which have not been the subject of a consensus, but in this respect I think reference should be made to one resolution which probably will be adopted by consensus, as it was adopted in the Committee by consensus: draft resolution A/C.1/33/L.16/Rev.1.

We would therefore propose to the Commission the inclusion in the provisional agenda of an item which might read: "Review of further action to be taken on the communications from the Secretary-General, inter alia, those pertaining to the implementation of draft resolution A/C.1/33/L.16/Rev.1". I think that in proposing that addition I do not risk reopening a substantive debate on the draft resolution. I am simply indicating to the Disarmament Commission that it will have to consider the ways and means of implementing that draft resolution at a later session.

The CHAIRMAN: I should like to refer to some of the points made by the representatives of Kuwait and France.

The representative of Kuwait made three observations. The first referred to the existing paragraph 6 and was a suggestion that it should be changed to read: "... which could have a bearing on the work of the Commission and to revise the provisional agenda for circulation to the members of the Commission."

(Conference Room Paper No. 3, p. 6)

He also asked me whether the inclusion of the paragraph suggested by the representative of Mexico, concerning the priority to be given to the consideration of the elements of a comprehensive programme on disarmament would preclude the consideration by the Commission at its May-June 1979 session of any of the other items on the provisional agenda.
My understanding is fairly clear on this. It is that there is no question
of precluding any of the items on the agenda. Certainly, priority for the
elements of the comprehensive programme has been indicated, and as the
representative of Mexico has said, we all know the reasons for that. But
that should not be taken to mean that until the Disarmament Commission
completes its consideration of the elements of the comprehensive programme it
should not consider any other issue. That is not, I think, the understanding.
I do not think anyone feels that way. How we decide to organize the work of
the Commission when we meet in May/June 1979 will very much depend upon our
programme of work.

References have been made to the setting up of separate drafting groups.
But that is something we shall have to consider closer to the time of the
Commission. And, on this matter also, perhaps when it meets prior to the
session the Bureau could come up with some suggestions which could be put to
the Disarmament Commission for consideration.

The representative of France has asked if we could not even now include
under the items listed in paragraph 5 something referring to document
A/C.1/33/L.16/Rev.1. Our difficulty is the communication from the Secretary-
General. It is true that the Secretary-General is, under that draft resolution,
required to transmit certain things to the Disarmament Commission. When the Bureau
met this morning, we felt that while it is not only likely but fairly certain
that such a communication will come, perhaps that item, which might read
"Communication dated ______ from the Secretary-General", could be included
after such a communication had been received. In fact that was why we felt that
the Bureau could meet before the meeting of the Commission to consider any
subsequent developments such as a communication from the Secretary-General.

When exactly the Commission will be able to consider and act upon that
communication from the Secretary-General we cannot at this stage say. All that
is required of us under draft resolution A/C.1/33/L.16/Rev.1 is that we submit a
report on the status of the consideration of these proposals to not the thirty-
fourth but the thirty-fifth session of the General Assembly. So, when it comes,
the communication from the Secretary-General will, in my opinion, have to appear
on the Commission's agenda. But it does not necessarily follow that we shall complete or even substantively consider it at the May/June session. We have to consider it before the thirty-fifth session, because we are required to submit a report on it then.

I want to make it quite clear that there is no intention, at least as far as I am concerned, to ignore draft resolution A/C.1/33/L.16/Rev.1. It is merely a question of how best to proceed neatly. All we are saying here is that the provisional agenda should - and I have no difficulty with the word "should" suggested by the representative of France - include "the following". It could and it probably would include other items also.

May I again ask for observations?

Mr. Van Buuren (Netherlands): My delegation welcomes what you have just said, Mr. Chairman. I think we all agree that this is a provisional agenda and that it cannot be our task here to exclude any delegation at any time between now and May from suggesting any items or sub-items that it may want the agenda to include.

Just one small point, a matter of clarification, on this question of the priority of the elements of the comprehensive programme. If I correctly understand what our colleague from Kuwait has been saying, it is not his point that priority is essential in this Commission so as to enable any other organ such as the Committee on Disarmament to deal with it. It is not a matter of enabling any other United Nations body to deal with this particular subject matter. It may be a matter of common sense not to discuss it at the same time. It may be a matter of common sense to have a certain chronological order. But it cannot be the case that we could exclude other bodies from discussing anything at any time. Nor can other bodies exclude us from doing so.

That is the point I wanted to clear up. That is the way we understand it.

The Chairman: If I may express my own views on the comprehensive programme, it is my understanding - and I think the representative of the Netherlands is quite right - that if the Committee on Disarmament in Geneva wants to take up some aspects of the comprehensive programme we of the Disarmament Commission cannot object to that. But let us also remember the whole purpose
of asking the Disarmament Commission to consider the elements. As members are aware, paragraph 116 clearly says the Disarmament Commission should consider them and submit recommendations to the General Assembly and, through it, to the Committee on Disarmament. It is my view that to that extent the Committee on Disarmament is under that provision required to take into account the recommendations that will go from this body to it through the General Assembly. And, purely from a practical point of view, one would imagine that the Committee on Disarmament might wish to begin its consideration of the comprehensive programme only after it had received these recommendations. In fact, when, during the summer session of the Conference of the Committee on Disarmament, the question of the comprehensive programme came up, I believe there was a feeling there - I do not know; I was not present in Geneva, and I would not therefore say it was the view of everyone - that since the special session had asked the Disarmament Commission to consider the elements it might perhaps be appropriate for the Committee to take up this matter after the recommendations have been received.

Are there any other observations?

Mr. GARCIA ROBLES (Mexico) (interpretation from Spanish): Since I was present at the Conference of the Committee on Disarmament both this year and last year, perhaps it would be appropriate for me to say a few words on the point just raised by the representative of the Netherlands and by you, Mr. Chairman.

From what I can recall, opinions were somewhat divided at the Conference of the Committee on Disarmament. Some delegations, Mexico among them, maintained that, since the Assembly had at its special session accepted that the Disarmament Commission would draw up the elements of the comprehensive disarmament programme, it was appropriate to wait for a reasonable time - in what was then called the Conference of the Committee on Disarmament and will next year become the Committee on Disarmament - to avoid working on the same item.
Both my delegation as well as others which maintain that point of view emphasized that this would not mean waiting indefinitely but for a reasonable time only. Obviously, the Conference on the Committee on Disarmament (CCD) - later the Committee on Disarmament - are two independent bodies. They are not nor would they be subject to an indefinite wait. That is precisely why my delegation has a special interest in having the Committee on Disarmament give maximum priority to this at its May-June session, so that if it cannot complete the preparation of all the elements for the comprehensive disarmament programme, at least it will complete the preparation of what might be called the key elements. This would make it possible at once - unanimously I am sure - in 1980 for the Disarmament Commission to devote itself to the important task of preparing the comprehensive disarmament programme. This would also give the delegations, including my own, which maintained this point of view this year and last year in Geneva, weighty arguments to convince our colleagues to refrain from beginning the task next year, that is, in 1979. That is the situation as I see it in connexion with this issue.

While I am speaking, may I say, Mr. Chairman, that you are perfectly right. In my previous statement I made a specific proposal and then I made some comments. The comments referred to how my delegation interprets the question of priorities, and I said that we interpreted it in the words of the representative of Yugoslavia yesterday at the meeting of the Bureau. The idea is that other items will be discussed, if time permits, in other words, if there is still time left after the priority consideration of and the elaboration of the elements of the comprehensive programme. This is the interpretation of my delegation which obviously need not appear in the useful draft document submitted to us.
(Mr. Garcia Robles, Mexico)

The proposal which I made was simply to add to paragraph 5, on page 3, after the listing of items on the draft provisional agenda, the following reference:

"The above provisional agenda should be understood to be subject to the provisions of paragraph 12 of the Report of the Disarmament Commission to the thirty-third session of the General Assembly, wherein it was decided that the consideration of the elements of a comprehensive programme of disarmament should be accorded priority at the Commission's session in May-June 1979".

The CHAIRMAN: May I at this stage make the following observations. From the discussion we have had during the past hour it would seem that as far as Conference Room Paper No. 3 is concerned there are no serious difficulties, no observations on the first two pages. There have been several suggestions with regard to page 3, and I should like to submit to the Commission the following: first, I would submit that we accept the suggestion made by the representative of France that instead of the word "shall" we use the word "should".

I would also submit that at the end of paragraph 5, after the six items are listed we include the formulation suggested by the representative of Mexico, which I will read again as I have taken it down:

"The above provisional agenda should be understood to be subject to the provisions of paragraph 12 of the Report of the Disarmament Commission to the thirty-third session of the General Assembly, wherein it was decided that the consideration of the elements of a comprehensive programme of disarmament should be accorded priority at the Commission's session in May-June 1979."

Then we come to paragraph 6. There was a suggestion by the representative of Mexico that instead of the phrase "during the week preceding the session of the Commission in May-June 1979", we specify and say that the Bureau will meet on 10-11 May 1979. I have no strong feelings on this. When I said "during the week" it was not my intention that the Bureau should meet from the 7th onwards. But if it is felt that more precision would be desirable we can certainly say that the Bureau will meet on 10-11 May.
Now we come to the last part of the paragraph and we have the problem raised by the representative of Pakistan and the suggestion made by the representative of Kuwait. I would still like to maintain the idea contained in that last part which is that the Bureau might have a look at this on 10-11 May when they meet, and in the light of any developments that might have taken place by then, to suggest for the consideration of the Commission possible revisions in the provisional agenda.

Therefore, I would like to submit the following language for the consideration of the Committee, and I would like the representative of Pakistan in particular to tell us whether this would be acceptable to him.
We would say the following in paragraph 6:

"... to consider any subsequent developments which could have a bearing on the work of the Commission and to suggest possible revisions in the provisional agenda for the consideration of the Commission."

In other words, what is intended is for the Bureau to meet and to take into account not only the Secretary-General's communication but also any other developments that might have taken place and to make suggestions regarding the provisional agenda - suggestions which the Commission itself would, when it met, take into account in adopting its own agenda.

That is the suggestion I wished to make.

Mr. AKRAM (Pakistan): I should like not merely to respond to your suggestion, Mr. Chairman, but in fact to put forward the views of my delegation rather more specifically than I was able to do in my previous statement because of its preliminary nature. I should like to make my suggestions more concrete, in order to enable the Commission better to consider them.

In paragraph 5, we have the listing of the provisional agenda - and here we agree with our colleague from France that the wording should be changed from "shall include" to "should include" the following - and we should like to add, at the end, a phrase or a paragraph as follows:

"The Secretary-General will revise this provisional agenda in the light of any proposals and suggestions submitted to him by Member States and other relevant developments."

By the last phrase, I wish to refer to the communication which the Secretary-General himself is to send to the Commission. But some other phrase could be used for that.

That proposal arises from the fact that, in my delegation's view, it is the Secretary-General who, in the case of both the General Assembly and other organs of the General Assembly and other United Nations organs, revises and modifies the provisional agendas submitted for consideration to the various bodies. It is not the Bureau that has that function, and my proposal would take that point into account.
With regard to paragraph 6, your modification, Sir, goes some way towards meeting our objection. But the point which we have raised here is one of principle. We believe that Bureaux should not consider modifications of the provisional order of various bodies because that is a political function, and the function of Bureaux is basically to facilitate the work of organization. It is an organizational rather than a political function. We should therefore like to change the last phrase in that paragraph to read as follows:

"The Commission further agreed that its Bureau would meet on 10-11 May 1979 to consider the provisional agenda submitted by the Secretary-General and any other developments which could have a bearing on the work of the Commission, in order to submit its recommendations to the Commission on the organization of the work of its first session."

That is our suggestion for the reformulation of paragraph 6.

Lastly, with regard to the suggestion made by the Ambassador of Mexico, we believe that the formulation which he has presented continues in some way to preclude the consideration of other items on the agenda. We would be satisfied - and I hope that the Ambassador of Mexico will be able to agree with this suggestion - with the insertion of a simple sentence here saying:

"The Disarmament Commission at its present meetings reaffirmed its decision contained in paragraph 12 of its report to the General Assembly that at its first session it would give priority to the consideration of the elements of the comprehensive programme."
The CHAIRMAN: I take it that all representatives have listened attentively to the representative of Pakistan; I have taken down the suggestions which he has just made.

I take it that, with regard to paragraph 6, the two sentences which he read out would form one paragraph, because they do speak of the provisional agenda. In other words, paragraph 6, as reformulated by the representative of Pakistan, would read as follows:

"The Secretary-General will revise this provisional agenda in the light of any proposals and suggestions submitted to him by Member States and other relevant developments. The Commission further agreed that its Bureau would meet on 10-11 May 1979 to consider the provisional agenda submitted by the Secretary-General and any other developments which could have a bearing on the work of the Commission, in order to submit its recommendations to the Commission on the organization of the work of its first session."

He also suggested a re-wording of the sentence that the representative of Mexico had proposed, and I should like to ask the representative of Mexico if he wishes to comment on that suggestion.
Mr. GARCIA ROBLES (Mexico) (interpretation from Spanish): Naturally I prefer my own wording, but I do not think that it would be impossible for the representative of Pakistan and me to be able to arrive at a mutually satisfactory text. However, for the time being I should like to draw the attention of the representative of Pakistan and the other members of the Commission to the fact that there are several provisions of the special session of the General Assembly which established the Disarmament Commission that we should bear in mind. I do not think that the General Assembly thought of the Disarmament Commission as a type of "interim committee" or "little assembly".

Paragraph 118 (b) of the Final Document of the special session is quite clear on this subject. It states:

"The Disarmament Commission shall function under the rules of procedure relating to the committees of the General Assembly ..."

Paragraph 118 (a) states:

"The Disarmament Commission shall be a deliberative body, a subsidiary organ of the General Assembly ..."

It therefore is not another General Assembly. With respect to the agenda of the Commission, I think we should not refer to rules of procedure that are applicable to those related to the preparation of the provisional agenda of the General Assembly. We should follow the rules of procedure used in connexion with the subsidiary bodies of the General Assembly, which are far simpler and which allow for compact agendas and productive and effective work. That is what we should attempt to do rather than try to reproduce the agendas of the General Assembly, mutatis mutandis, which, as we know, sometimes include 125 items.

Mr. VUCOVIC (Yugoslavia): I also have some doubts about the suggestions made by the representative of Pakistan with respect to the procedure that we should follow in defining the provisional agenda of the Commission. I think that the procedure which you suggested, Mr. Chairman, as proposed by the Bureau - and the Bureau has the trust of Member States - is the correct one. We should not open the possibility that the agenda of the Disarmament Commission next May might include 130 items. We were asked at the last organizational meeting of the
Commission to consider the relevant resolutions of the General Assembly which have a bearing on the agenda of the Disarmament Commission at its May/June session. I believe that has been taken care of by the Chairman's proposal and that we should not now enter into a new discussion on whether or not we have the right to include in the agenda any suggestions that may be submitted by a Member State. The Chairman's proposal that the Bureau should meet a week prior to the session in May/June should take into account any further developments that may take place between now and then. The provisional agenda could then be reviewed before its submission to the Commission itself. The Commission would then adopt its agenda for the May/June session.

Mr. GRUBBECK (Bulgaria): I am also somewhat confused by the proposals formulated by the representative of Pakistan. He has some difficulty with the Bureau of the Commission finalizing the provisional agenda, even though, Mr. Chairman, you emphasized - and I participated in the preparation of the text which is before us - that this is a tentative agreement on a provisional agenda, which means that the agenda is to be adopted by the Commission itself.

One of the arguments of the representative of Pakistan was that the Bureau has no political power. However, at the same time, he proposed that the Secretary-General should revise what has been decided upon by the Commission itself or by the First Committee when it adopted the resolutions in which it assigned certain tasks to the Commission. If we use such language as "revise", that would include not only additions to the provisional agenda, but also imply that the Secretary-General would have the right to revise the provisional agenda in which we have to include certain items.

If we make an analogy with the General Assembly, there again first we have a compilation of the items which the Secretariat has received and then the Bureau of the General Assembly considers the provisional agenda. Only then does the General Assembly take a decision on it.
To sum up, I would support the procedure which has been suggested by the Bureau. Again, I should like to emphasize that it was not the idea of the Bureau to take any political decisions that would affect the agenda in any drastic way. The idea was to bear in mind the possible inclusion of something relating to resolution A/C.1/33/L.16/Rev.1.
Also, it seems to me that perhaps we should avoid using the word "revision", even if we speak of the Bureau of the Commission itself. Either keep the word "finalize" or use the words which you, Mr. Chairman, have suggested, namely, "suggests possible changes" instead of "revisions", or "possible additions" - or simply say "and to prepare the final draft of the provisional agenda."

I have in mind, of course, the meeting of the Bureau which will be held prior to the session of the Commission itself. We cannot use the word "revise" also because in practice we do not have an agenda now. We have used such terms as "should include the following". The inclusion of these items does not mean that we already have a draft in front of us. That is why, perhaps, we should use other language which would indicate that the only thing we have to do is not to revise these items, which have already been included by decision of the General Assembly, but to make some additions in the light of further developments which may take place.

Mr. ELARABY (Egypt): I know the hour is late and I will be as brief as possible.

In contrast with some of the previous speakers, I should like to support the representative of Pakistan, at least in the matter of the role of the Secretary-General with respect to the provisional agenda. My delegation believes - again to borrow a phrase used by the representative of Mexico - that the rules of procedure of the General Assembly should be applied here mutatis mutandis. This is a Commission composed of all Member States. It is a subsidiary organ of the General Assembly. Yes, it is a Commission, but still it is composed of all Member States. And in this regard we believe that the Secretary-General is the one responsible - although perhaps not to revise the provisional agenda as suggested by the representative of Pakistan. I should like to propose that the sentence proposed by him should be changed to begin, "The Secretary-General will draw up the provisional agenda in the light of ...", continuing thereafter as he read it out originally.

I will clarify this further during the afternoon meeting, since the hour is now late.

The meeting rose at 1.15 p.m.