CONFERECE OF NON-NUCLEAR-WEAPON STATES

Geneva, 1968

Agenda items 11, 12, 13

Report of Committee 1

Rapporteur: Mr. Abdul Samad GHAUS (Afghanistan)

1. At its third plenary meeting, on 3 September 1968, the Conference of Non-Nuclear-Weapon States, on the recommendation of the General Committee (A/CONF.35/GC.1), decided that the following items of its agenda (A/CONF.35/2) be allocated to Committee 1 for consideration and report:

   11. Measures to assure the security of non-nuclear-weapon States
   12. Establishment of nuclear-weapon-free zones
   13. Effective measures for the prevention of further proliferation of nuclear weapons, the cessation of the nuclear arms race at an early date and nuclear disarmament:

      (a) Safeguards against the diversion of source or special fissionable material from peaceful to military uses, and safeguards against industrial espionage

      (b) Submission of periodic reports by countries, to an international agency, on the nature of nuclear technical assistance and the nature and extent of special fissionable material supplied by them to non-nuclear-weapon States for peaceful purposes

      (c) Conclusion of a comprehensive test ban treaty

      (d) Freeze on production of fissile materials for weapon purposes and the cessation of the manufacture of nuclear weapons.

2. These items were considered by Committee 1 at 22 meetings from 4 to 26 September 1968.

3. The following draft resolutions were submitted under item 11 of the agenda:

   (a) A draft resolution submitted on 13 September by Brazil (A/CONF.35/C.1/L.3) by which the Conference would invite all States to enter into negotiations, at an appropriate forum, not later than 1 May 1969, for the conclusion of a general

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convention through which the nuclear-weapon States should undertake to give positive and negative guarantees to all non-nuclear-weapon States. Subsequently Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, Guatemala, Paraguay, Peru, Trinidad and Tobago, Uruguay, and Venezuela submitted revised texts (A/CONF.35/C.1/L.3/Rev.1 and 2). By the latter draft resolution the Conference would: (1) recommend that the General Assembly of the United Nations, at its twenty-third session, in order to achieve a solution to the problem of the security of non-nuclear-weapon States, convene as soon as possible a conference with the participation of all States Members of the United Nations, members of its specialized agencies and of the International Atomic Energy Agency, and all nuclear-weapon States, for the purpose of concluding a multilateral instrument whereby the nuclear-weapon States would undertake to adopt the appropriate measures to assure the security of all non-nuclear-weapon States; (2) request the Executive Secretary of the Conference to transmit the text of the resolution and all other documents concerning item 11 of the agenda of the Conference to the Secretary-General of the United Nations. On 26 September, Pakistan submitted two oral amendments to draft resolution A/CONF.35/C.1/L.3/Rev.2. First, the words "with the participation" should be eliminated from paragraph 1 of the draft resolution. Second, at the end of paragraph 1 the following words should be added: "bearing in mind the need to reflect an acceptable balance of mutual responsibilities and obligations between the nuclear and non-nuclear-weapon States". The first of these two amendments was accepted by the co-sponsors of the draft resolution and incorporated therein.

(b) A draft resolution submitted on 17 September by Uganda, the United Republic of Tanzania and Zambia (A/CONF.35/C.1/L.4) recommending the establishment of a preparatory committee for the convening of a conference to be held not later than 31 August 1969 for the conclusion of a convention or protocol to the Treaty on the Non-Proliferation of Nuclear Weapons through which the nuclear-weapon States would undertake not to attack non-nuclear-weapon States or one another and that States parties to the convention would also undertake to come to the aid of any State, nuclear or non-nuclear, attacked by nuclear or conventional weapons.

(c) A draft resolution submitted on 21 September by Pakistan (A/CONF.35/C.1/L.11) by which the Conference would: (1) urge the nuclear-weapon States to undertake to refrain from the use or threat of use of nuclear weapons against any non-nuclear-weapon State which had renounced the manufacture or acquisition otherwise of nuclear weapons; (2) recommend to the permanent Members of the Security Council who had
expressed their intention "to seek immediate Security Council action to provide assistance, in accordance with the Charter, to any non-nuclear-weapon State party to the Treaty on the Non-Proliferation of Nuclear Weapons that is a victim of an act of aggression or an object of threat of aggression in which nuclear weapons are used", to undertake to provide such immediate assistance in accordance with the United Nations Charter, to any non-nuclear-weapon State which had renounced the manufacture or acquisition otherwise of nuclear weapons and was the object of the use or threat of use of nuclear weapons; (3) recommend further to the nuclear-weapon States that they effectively respond, jointly or severally, to a request for immediate assistance, in the exercise of its inherent right of individual and collective self-defence, by a State which had renounced the manufacture or acquisition otherwise of nuclear weapons if a nuclear attack occurred against that State or if it was subjected to a threat of use of nuclear weapons, until the Security Council had taken measures necessary to maintain international peace and security.

(d) A draft resolution submitted on 21 September by the Federal Republic of Germany (A/CONF.35/C.1/L.13) and which was later revised (A/CONF.35/C.1/L.13/Rev.1). By the revised draft resolution the Conference would: (1) reaffirm (i) the principle, indivisible in its application, of the non-use of force and the prohibition of the threat of force in relations between States by employing nuclear or non-nuclear weapons, and the belief that all States without exception had an equal and inalienable right to enjoy the protection afforded by this principle, recognized under Article 2 of the United Nations Charter, (ii) the right to equality, sovereignty, territorial integrity, non-intervention in internal affairs and self-determination of every State, (iii) the inherent right, recognized under Article 51 of the United Nations Charter, of individual or collective self-defence which, apart from measures taken or authorized by the Security Council of the United Nations, was the only legitimate exception to the overriding principle of the non-use of force in relations between States; (2) request the nuclear-weapon States to reaffirm these principles on their behalf.

4. On item 12 of the agenda one single draft resolution was submitted on 18 September by Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, Guatemala, Jamaica, Mexico, Paraguay, Peru, Trinidad and Tobago, Uruguay and Venezuela (A/CONF.35/C.1/L.5) and it was subsequently revised (A/CONF.35/C.1/L.5/Rev.1). By part A of the revised draft resolution the Conference would: recommend all non-nuclear-weapon States not comprised in the zone established in the Treaty of Tlatelolco to initiate or continue such studies as they might deem opportune concerning the
possibility and desirability of establishing by treaty the military neutralization of their respective zones, provided that political and security conditions permitted. By part B of the same draft resolution the Conference would: (1) regret the fact that not all the nuclear-weapon States had yet signed Additional Protocol II of the Treaty of Tlatelolco and (2) urge the nuclear-weapon Powers to comply in full with paragraph 4 of resolution 2266 (XXII) adopted by the United Nations General Assembly on 5 December 1967.

5. The following draft resolutions were submitted under item 13 of the agenda:

(a) A draft resolution submitted on 18 September by Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, Guatemala, Jamaica, Mexico, Paraguay, Peru, Trinidad and Tobago, Uruguay and Venezuela (A/CONF.35/C.1/L.7) by which the Conference would request the United Nations General Assembly, at its twenty-third regular session, to recommend that the Conference of the Eighteen-Nation Committee on Disarmament should begin, not later than March 1969, negotiations of conventions for the cessation of the nuclear arms race and nuclear disarmament under effective international control by means of the following measures: (a) the prevention of the further development and improvement of nuclear weapons and their delivery vehicles; (b) the complete cessation of nuclear weapon tests: (c) the cessation of production of fissionable material for military purposes and manufacture of nuclear weapons; (d) the reduction and subsequent elimination of nuclear stockpiles.

(b) A draft resolution submitted on 21 September by Ghana, India, Pakistan and Yugoslavia (A/CONF.35/C.1/L.10) requesting the United Nations General Assembly, at its twenty-third regular session, to recommend that the Conference of the Eighteen-Nation Committee on Disarmament should begin, not later than March 1969, to undertake negotiations for (a) the conclusion of a comprehensive test ban treaty, as an important step in the field of nuclear disarmament, and as a matter of high priority; (b) reaching agreement on the immediate cessation of the production of fissile materials for weapons purposes and the stoppage of the manufacture of nuclear weapons; (c) the reduction and eventual elimination of all stockpiles of nuclear weapons and their delivery systems.
(c) A joint draft resolution submitted on 24 September by Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, Ghana, Guatemala, India, Jamaica, Mexico, Pakistan, Paraguay, Peru, Trinidad and Tobago, Uruguay, Venezuela and Yugoslavia (A/CONF.35/C.1/L.7/Rev.1), which was later co-sponsored by Afghanistan (A/CONF.35/C.1/L.7/Rev.1/Add.1), to replace draft resolutions A/CONF.35/C.1/L.7 and A/CONF.C.1/L.10 above. By the new draft resolution the Conference would request the United Nations General Assembly, at its twenty-third regular session, to recommend that the Conference of the Eighteen-Nation Committee on Disarmament should begin, not later than March 1969, to undertake negotiation for:

(a) the prevention of the further development and improvement of nuclear weapons and their delivery vehicles;  
(b) the conclusion of a comprehensive test ban treaty, as an important step in the field of nuclear disarmament, and as a matter of high priority;  
(c) reaching agreement on the immediate cessation of the production of fissile materials for weapons purposes and the stoppage of the manufacture of nuclear weapons;  
(d) the reduction and subsequent elimination of all stockpiles of nuclear weapons and their delivery systems.

(d) A draft resolution submitted on 18 September by Pakistan (A/CONF.35/C.1/L.8) which was later revised (A/CONF.35/C.1/L.8/Rev.1). By the revised draft resolution the Conference would urge the Governments of the Union of Soviet Socialist Republics and the United States of America to enter at an early date into bilateral discussions on the limitation of offensive strategic nuclear weapons delivery systems and systems of defence against ballistic missiles.

6. The following draft resolutions were submitted under sub-item 13(a) of the agenda:

(a) A draft resolution submitted on 12 September by Spain (A/CONF.35/C.1/L.1) recommending the establishment within the International Atomic Energy Agency of a special committee on safeguards of which countries possessing nuclear facilities or supplying nuclear materials might be members if they so desired. The special committee on safeguards should be responsible for setting up and, if necessary, modifying the Agency's system of safeguards and for supervising the strict observance of that system.

(b) A draft resolution submitted on 13 September by Switzerland (A/CONF.35/C.1/L.2). By it the Conference would: (1) recommend that the agreements provided for in article III, paragraph 4, of the Treaty on the Non-Proliferation of Nuclear Weapons should be drawn up with due regard for the principle of the sovereign equality of States, so as to impose equivalent political or economic responsibilities upon all:
(2) recommend for this purpose that inter alia the following principles, which supplemented and rendered more specific the Statute of IAEA, should be observed: 
(a) the safeguard procedures should be simplified by limiting them to the flow of highly enriched uranium and plutonium, the only materials which could be used for military purposes; 
(b) instruments and other technical devices should be brought into use at certain strategic points as soon as possible; 
(c) fissionable materials in small quantities for use in scientific research should be exempt from the safeguards; 
(d) the rules laid down against industrial risks, including industrial espionage, by the Statute of IAEA, the decisions of the Board of Governors and directives of the Director General, particularly with regard to the possibility of challenging inspectors, should be strengthened in the agreements; 
(e) the cost of the safeguard procedures should be charged to the IAEA budget; 
(3) urge the nuclear-weapon Powers to conclude with IAEA safeguard agreements consistent with the foregoing principles and applicable to their nuclear activities for peaceful purposes; 
(4) consider it essential that rules should be drawn up to avoid duplication of safeguard procedures and consequent commercial discrimination, particularly during the period when the Treaty on the Non-Proliferation of Nuclear Weapons was in force only as between a relatively small number of States; 
(5) invite the Secretary-General of the United Nations to communicate this resolution to the International Atomic Energy Agency.

(c) A joint draft resolution submitted on 21 September by Spain and Switzerland (A/CONF.35/C.1/L.9) to replace draft resolutions A/CONF.35/C.1/L.1 and A/CONF.35/C.1/L.2 above. The joint draft resolution was subsequently revised (A/CONF.35/C.1/L.9/Rev.1). By it the Conference would: 
(1) recommend the establishment within the International Atomic Energy Agency of a special committee on safeguards, to which member countries possessing nuclear facilities or supplying nuclear materials should belong if they so wished, to be responsible for setting up and, if necessary, modifying the Agency's system of safeguards as well as for supervising the agreements concluded with the Agency; 
(2) recommend that, inter alia, the following principles, which supplemented and rendered more specific the Statute of IAEA, should be observed: 
(a) the safeguard procedures should be simplified, in particular with a view to limiting them to the flow of highly enriched uranium and plutonium, the only materials which could be used for military purposes; 
(b) instruments and other technical devices should be brought into use at certain strategic points as soon as possible; 
(c) fissionable materials in small quantities for use in scientific research should
be exempt from the safeguards; (d) the rules laid down against industrial risks, including industrial espionage, by the Statute of IAEA, the decisions of the Board of Governors and directives of the Director General, particularly with regard to the possibility of challenging inspectors, should be strengthened in the agreements; (e) the access of inspectors to certain strategic points should be restricted; (f) the cost of the safeguard procedures should be charged to the IAEA budget; (3) urge the nuclear-weapon Powers to conclude with IAEA safeguard agreements consistent with the foregoing principles and applicable to their nuclear activities for peaceful purposes; (4) consider it essential that rules should be drawn up to avoid duplication of safeguard procedures and consequent commercial discrimination; (5) invite the Secretary-General of the United Nations to communicate this resolution to the International Atomic Energy Agency.

(d) A draft resolution submitted on 21 September by Chile (A/CONF.35/C.1/L.12). By it the Conference would: (1) express the hope that the IAEA would take into account the views expressed at the Conference on the application of the safeguards envisaged in the Treaty on the Non-Proliferation of Nuclear Weapons; (2) request the Secretary-General, to that end, to transmit to IAEA the records and other documents of the Conference relating to the subject, including the proposals and suggestions submitted; (3) request those States members of IAEA which were in a position to do so to grant the Agency such assistance as might be considered necessary in improving the system of safeguards in accordance with the relevant provision of the Treaty on the Non-Proliferation of Nuclear Weapons.

(e) A draft resolution submitted on 24 September by Argentina, Brazil, Colombia, Chile, Ecuador, Spain and Switzerland (A/CONF.35/C.1/L.14) to replace draft resolutions A/CONF.35/C.1/L.9/Rev.1 and A/CONF.35/C.1/L.12 above. By the new draft resolution the Conference would: (1) recommend the establishment, within the International Atomic Energy Agency and under its Board of Governors, of institutional machinery on safeguards of which both member countries possessing nuclear facilities and those supplying nuclear materials should form part; (2) recommend to IAEA that, in the process of improving and simplifying the safeguards, consideration should be given to the desirability of attaining the following objectives: (a) simplification of the safeguard procedures, in particular with a view to limiting them to the flow of highly enriched uranium and plutonium, the only materials which could be used for military purposes; (b) use of instruments and other technical devices at certain strategic points as soon as possible; (c) simplification of safeguards in respect of
fissionable materials in small quantities for use in scientific research;
(d) incorporation in the agreements of the rules laid down against industrial risks,
including industrial espionage, by the Statute of IAEA, the decisions of the Board of
Governors and directives of the Director General, particularly with regard to the
possibility of challenging inspectors; (e) regulation of access by inspectors to
certain strategic points; (3) urge the nuclear-weapon Powers to conclude with IAEA
safeguard agreements consistent with the relevant rules; (4) consider it essential
that rules should be drawn up to avoid duplication of safeguard procedures and
consequent commercial discrimination; (5) invite the Secretary-General of the United
Nations to communicate this resolution to the International Atomic Energy Agency.
On 25 September, amendments were submitted to this draft resolution by Japan (A/CONF.35/
C.1/L.15), Mauritius (A/CONF.35/C.1/L.16), the Federal Republic of Germany (A/CONF.35/
C.1/L.17) and the Philippines (A/CONF.35/C.1/L.18). The amendments by Japan were as
follows: (1) in paragraph 2 of the draft resolution the words "inter alia" should be
inserted before the words "the following objectives"; (2) sub-paragraphs (a) and (b)
of paragraph 2 should be replaced by the following: "(a) The safeguards procedures
should be simplified by the use of instruments and other technical devices at certain
strategic points of the flow of nuclear materials, with a view to restricting the
safeguarding operations to the necessary minimum"; (3) sub-paragraphs (c), (d) and (e)
should be changed to (b), (c) and (d). Mauritius submitted an amendment by which
operative paragraph 1 of the draft resolution should be amended to read as follows:
"1. Recommends the establishment, within the International Atomic Energy Agency and
under its Board of Governors, of institutional machinery on safeguards of which both
countries supplying nuclear materials, as well as member countries whether possessing
nuclear facilities or not, shall form part;". The Federal Republic of Germany
submitted an amendment to the effect that in operative paragraph 2, sub-paragraph (a),
the words "limiting them to" should be replaced by the words "concentrating on". The
amendments by the Philippines were as follows: (1) in operative paragraph 2, the words
"consideration should be given to the desirability of attaining" should be deleted
and the words "be given appropriate consideration:" should be inserted after the word
"objectives"; and (2) in operative paragraph 5 the following words should be added
at the end of the paragraph: "together with the records of the discussions thereon
and other relevant documents." The amendments by Mauritius, the Federal Republic of
Germany and the Philippines were accepted by the co-sponsors of draft resolution
A/CONF.35/C.1/L.14 and incorporated into it.
(f) A draft resolution submitted on 18 September by Pakistan (A/CONF.35/C.1/L.6) and subsequently revised (A/CONF.35/C.1/L.6/Rev.1). By the revised draft resolution the Conference would recommend the acceptance of the IAEA system of safeguards, as might be evolved from time to time, by all the non-nuclear-weapon States, as set forth in an agreement to be negotiated and concluded with the IAEA in accordance with its safeguards system which would provide against diversion of source or fissionable material produced, processed or used in any principal nuclear facility established with or without the assistance of the IAEA, including those principal nuclear facilities which might have been established in pursuance of any bilateral or multilateral arrangements, as a step towards the non-proliferation of nuclear weapons. On 25 September the Philippines submitted amendments (A/CONF.35/C.1/L.15) to the draft resolution by which the words "whether it is" would be inserted after the words "or fissionable material" and the words "or is outside any such facility" would be inserted after the words "in any principal nuclear facility." Pakistan accepted these amendments and incorporated them into its draft resolutions.

7. At its 19th meeting, on 24 September, the Committee proceeded to vote on the draft resolutions before it and decided to take up first draft resolution A/CONF.35/C.1/L.5/Rev.1 submitted by 16 Latin American countries. Ghana proposed the deletion of the words "provided that political and security conditions permit" in operative part A of the draft resolution. A separate vote was requested on parts A, B1, and B2 of the resolution. It was also requested that the voting be by roll call. The amendment proposed by Ghana, which was put to the vote first, was rejected by 56 votes to 12, with 8 abstentions. The vote was as follows:

**In favour:** Bulgaria, Czechoslovakia, Ghana, Hungary, Kenya, Kuwait, Mongolia, Nigeria, Pakistan, Poland, Romania, Somalia.

**Against:** Algeria, Argentina, Australia, Austria, Belgium, Brazil, Burma, Canada, Ceylon, Chile, China, Colombia, Costa Rica, Denmark, Ecuador, Ethiopia, Federal Republic of Germany, Finland, Greece, India, Indonesia, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Libya, Liechtenstein, Luxembourg, Malta, Mauritius, Mexico, Netherlands, New Zealand, Norway, Paraguay, Peru, Philippines, Republic of Korea, Republic of Viet Nam, South Africa, Southern Yemen, Spain, Sweden, Switzerland, Syria, Trinidad and Tobago, Turkey, Uganda, United Arab Republic, United Republic of Tanzania, Uruguay, Venezuela, Yemen, Zambia.
Operative part A of the draft resolution was adopted by 64 votes to none, with 12 abstentions, as follows:

**In favour:** Afghanistan, Algeria, Argentina, Australia, Austria, Belgium, Brazil, Burma, Canada, Ceylon, Chile, China, Colombia, Costa Rica, Denmark, Ecuador, Ethiopia, Federal Republic of Germany, Finland, Greece, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Libya, Liechtenstein, Luxembourg, Madagascar, Malta, Mauritius, Mexico, Netherlands, New Zealand, Nigeria, Norway, Pakistan, Paraguay, Peru, Philippines, Portugal, Republic of Korea, Republic of Viet Nam, Somalia, South Africa, Southern Yemen, Spain, Sweden, Switzerland, Syria, Trinidad and Tobago, Turkey, Uganda, United Arab Republic, United Republic of Tanzania, Uruguay, Venezuela, Yemen, Yugoslavia, Zambia.

**Against:** None

**Abstaining:** Bulgaria, Czechoslovakia, Ghana, Hungary, Kenya, Kuwait, Mongolia, Morocco, Poland, Romania, Thailand, Tunisia.

Operative part B, paragraph 1, was adopted by 41 votes to 1, with 34 abstentions, as follows:

**In favour:** Argentina, Australia, Austria, Belgium, Brazil, Canada, Chile, Colombia, Costa Rica, Ecuador, Federal Republic of Germany, Greece, Iran, Ireland, Italy, Jamaica, Japan, Kenya, Libya, Liechtenstein, Luxembourg, Malta, Mauritius, Mexico, Netherlands, New Zealand, Paraguay, Peru, Philippines, Portugal, Republic of Viet Nam, South Africa, Spain, Switzerland, Trinidad and Tobago, Turkey, Uganda, United Republic of Tanzania, Uruguay, Venezuela, Zambia.

**Against:** Nigeria
Operative part B, paragraph 2, was adopted by 61 votes to none, with 15 abstentions, as follows:

**In favour:**
Afghanistan, Algeria, Argentina, Australia, Austria, Belgium, Brazil, Burma, Canada, Ceylon, Chile, China, Colombia, Costa Rica, Ecuador, Ethiopia, Federal Republic of Germany, Ghana, Greece, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Libya, Liechtenstein, Luxembourg, Madagascar, Malta, Mauritius, Mexico, Netherlands, New Zealand, Nigeria, Pakistan, Paraguay, Peru, Philippines, Portugal, Republic of Viet Nam, Somalia, South Africa, Southern Yemen, Spain, Switzerland, Syria, Trinidad and Tobago, Turkey, Uganda, United Republic of Tanzania, Uruguay, Venezuela, Yemen, Yugoslavia, Zambia.

**Against:**
None

**Abstaining:**
Bulgaria, Czechoslovakia, Denmark, Finland, Hungary, Mongolia, Morocco, Norway, Poland, Republic of Korea, Romania, Sweden, Thailand, Tunisia, United Arab Republic.

Draft resolution A/CONF.35/C.1/L.5/Rev.1 as a whole was then adopted by 63 votes to none, with 13 abstentions (see paragraph 15 below, draft resolution C). The voting was as follows:

**In favour:**
Afghanistan, Algeria, Argentina, Australia, Austria, Belgium, Brazil, Burma, Canada, Ceylon, Chile, China, Colombia, Costa Rica, Denmark, Ecuador, Ethiopia, Federal Republic of Germany, Finland, Greece, India, Indonesia, Iran, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Libya, Liechtenstein, Luxembourg, Madagascar,
Malti, Mauritius, Mexico, Netherlands, New Zealand, Norway, Pakistan, Paraguay, Peru, Philippines, Portugal, Republic of Korea, Republic of Viet Nam, Somalia, South Africa, Southern Yemen, Spain, Sweden, Switzerland, Syria, Trinidad and Tobago, Turkey, Uganda, United Arab Republic, United Republic of Tanzania, Uruguay, Venezuela, Yemen, Yugoslavia, Zambia.

**Against:**

None

**Abstaining:**

Bulgaria, Czechoslovakia, Ghana, Hungary, Kenya, Kuwait, Mongolia, Morocco, Nigeria, Poland, Romania, Thailand, Tunisia.

8. At the same meeting, the Committee adopted draft resolution A/CONF.35/C.1/L.8/Rev.1 by Pakistan. The vote was 62 to none, with 5 abstentions (see paragraph 15 below, draft resolution E).

9. At its 20th meeting, on 25 September, the Committee adopted the 20-Power draft resolution A/CONF.35/C.1/L.7/Rev.1/Add.1 by 75 votes to none, with 5 abstentions (see paragraph 15 below, draft resolution D).

10. At its 21st meeting, on 25 September, the Committee adopted draft resolution A/CONF.35/C.1/L.6/Rev.1 by Pakistan, as amended by the Philippines (see paragraph 6 (f) above), by 38 votes to 3, with 35 abstentions (see paragraph 15 below, draft resolution F).

11. At its 22nd meeting, on 26 September, the Committee proceeded to vote on draft resolution A/CONF.35/C.1/L.3/Rev.2 by 14 Latin American countries and amended by Pakistan. The amendment proposed by Pakistan and not incorporated in the resolution (see paragraph 3(a) above) was voted upon first and was adopted by 12 votes to 1, with 68 abstentions. The draft resolution A/CONF.35/C.1/L.3/Rev.2, as amended, was then adopted by a roll call vote of 50 to 17, with 25 abstentions (see paragraph 15 below, draft resolution A). The voting was as follows:

**In favour:**

Afghanistan, Algeria, Argentina, Bolivia, Brazil, Cameroon, Chile, Colombia, Costa Rica, Dahomey, Dominican Republic, Ecuador, Federal Republic of Germany, Ghana, Guatemala, India, Indonesia, Iran,
Israel, Ivory Coast, Jamaica, Japan, Kenya, Madagascar, Mauritius, Nigeria, Pakistan, Paraguay, Peru, Republic of Viet Nam, Romania, Spain, Switzerland, Trinidad and Tobago, Uganda, United Republic of Tanzania, Uruguay, Venezuela, Yugoslavia, Zambia

Against: Australia, Belgium, Bulgaria, Canada, China, Czechoslovakia, Denmark, Finland, Greece, Hungary, Mongolia, Netherlands, New Zealand, Norway, Poland, Republic of Korea, Sweden

Abstaining: Austria, Ceylon, Ethiopia, Iraq, Ireland, Italy, Jordan, Kuwait, Lebanon, Libya, Liechtenstein, Luxembourg, Malta, Mexico, Panama, Philippines, Portugal, Saudi Arabia, South Africa, Southern Yemen, Syria, Tunisia, Turkey, United Arab Republic, Yemen

12. At the same meeting, following the adoption of draft resolution A/CONF.35/C.1/L.3/Rev.2 as amended, Uganda, the United Republic of Tanzania and Zambia, co-sponsors of draft resolution A/CONF.35/C.1/L.4, withdrew it, with the understanding that the document would be transmitted to the Secretary-General of the United Nations in conformity with paragraph 2 of the adopted draft resolution. With the same understanding, Pakistan did not press to a vote its draft resolution A/CONF.35/C.1/L.11.

13. Subsequently the Committee took up draft resolution A/CONF.35/C.1/L.13/Rev.1 submitted by the Federal Republic of Germany. Bolivia submitted an oral amendment by which the words "especially for non-nuclear-weapon States" would be eliminated in the sixth preambular paragraph. This amendment was accepted by the Federal Republic of Germany. A separate vote was then taken on sub-paragraphs 1(i), 1(ii) and 1(iii) of the draft resolution. Sub-paragraph 1(i) was adopted by 60 votes to none, with 18 abstentions. Sub-paragraph 1(ii) was adopted by 60 votes to none, with 21 abstentions. Sub-paragraph 1(iii) was adopted by 47 votes to none, with 33 abstentions. The draft resolution as a whole was adopted by 50 votes to 5, with 25 abstentions (see paragraph 15 below, draft resolution B).
14. The Committee then proceeded to vote on draft resolution A/CONF.35/C.1/L.14 by Argentina, Brazil, Chile, Colombia, Ecuador, Spain, and Switzerland as amended by Mauritius, the Federal Republic of Germany and the Philippines (see paragraph 6 (e) above). The amendments by Japan contained in document A/CONF.35/C.1/L.16 (see paragraph 6 (e) above) were taken up first. No vote was taken on the first amendment, as the words "inter alia" appeared in the original (Spanish) text of draft resolution A/CONF.35/C.1/L.14. The remaining amendments by Japan were adopted by 57 votes to none, with 29 abstentions. Australia requested a separate vote on sub-paragraph (d) of paragraph 2 of the draft resolution as amended by Japan. The sub-paragraph was rejected by a vote of 29 to 20 with 30 abstentions and therefore deleted. The draft resolution, as amended, was then adopted by a roll call vote of 35 to 5, with 43 abstentions (see paragraph 15 below, draft resolution G). The vote was as follows:

**In favour:** Argentina, Austria, Bolivia, Brazil, Burma, Ceylon, Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, Ethiopia, Federal Republic of Germany, Ghana, Guatemala, India, Indonesia, Iran, Italy, Japan, Kenya, Liechtenstein, Mauritius, Nigeria, Pakistan, Panama, Paraguay, Peru, Philippines, Spain, Switzerland, Trinidad and Tobago, Uruguay, Venezuela, Yugoslavia.

**Against:** Bulgaria, Czechoslovakia, Hungary, Mongolia, Poland.

**Abstaining:** Afghanistan, Algeria, Australia, Belgium, Cameroon, Canada, China, Dahomey, Denmark, Finland, Greece, Iraq, Ireland, Israel, Ivory Coast, Jamaica, Jordan, Kuwait, Lebanon, Libya, Luxembourg, Madagascar, Malta, Mexico, Morocco, Netherlands, New Zealand, Norway, Portugal, Republic of Korea, Republic of Viet Nam, Romania, South Africa, Southern Yemen, Sweden, Syria, Tunisia, Turkey, Uganda, United Arab Republic, United Republic of Tanzania, Yemen, Zambia.
RECOMMENDATIONS OF COMMITTEE I

15. Committee I therefore recommends to the Conference the adoption of the following draft resolutions:

Item 11

A

The Conference of Non-Nuclear-Weapon States,

Having discussed the question of measures to assure the security of non-nuclear-weapon States,

Recognizing the need that, until such time as the production of nuclear weapons has ceased and all stockpiles of such weapons have been destroyed, the security of non-nuclear-weapon States should be adequately assured,

Recalling resolutions 2028 (XX) and 2153 (XXI) of the General Assembly of the United Nations,

Having in mind resolution 255 (1968) of the Security Council of the United Nations,

Noting also the concern expressed by delegations participating in the Conference about the question of their security,

1. Recommends that the General Assembly of the United Nations, at its twenty-third session, in order to achieve a solution to this problem, convene as soon as possible a conference of all the States Members of the United Nations, members of its specialized agencies and of the International Atomic Energy Agency and all nuclear-weapon States, for the purpose of concluding a multilateral instrument whereby the nuclear-weapon States undertake to adopt the appropriate measures to assure the security of all non-nuclear-weapon States, bearing in mind the need to reflect an acceptable balance of mutual responsibilities and obligations between the nuclear and non-nuclear-weapon States;

2. Requests the Executive Secretary of the Conference to transmit the text of the present resolution and all other documents concerning item 11 of the agenda of the Conference to the Secretary-General of the United Nations.

B

The Conference of Non-Nuclear-Weapon States,

Aware that mankind will continue to be exposed to the danger of nuclear war and destruction as long as there exist nuclear weapons,
Considering the perspectives opened up by the Treaty on the Non-Proliferation of Nuclear Weapons which has been recommended by Resolution 2373 (XXII) of the United Nations General Assembly for the widest possible adherence by both nuclear-weapon and non-nuclear-weapon States,

Conscious that all States, and in particular the non-nuclear-weapon States, will find lasting security only through general and complete disarmament by which all weapons, both nuclear and non-nuclear, will eventually be abolished, and that to this end a first condition is that the nuclear arms race be stopped.

Concerned that the basically unequal defensive capabilities of nuclear-weapon States and non-nuclear-weapon States must not jeopardize the inalienable right of every State to choose its political, economic, social and cultural system without interference in any form by other States,

Convinced that, therefore, the overriding principle of the non-use of force and the prohibition of the threat of force in relations between States, as expressed in Article 2 of the United Nations Charter, should be reaffirmed, and that this principle is indivisible and cannot be applied selectively, that every State has an equal and inalienable right to enjoy the protection afforded by this principle,

Convinced of the importance of the inherent right, recognized under Article 51 of the United Nations Charter, of individual or collective self-defence,

1. Reaffirms

   (i) the principle, indivisible in its application, of the non-use of force and the prohibition of the threat of force in relations between States by employing nuclear or non-nuclear weapons, and the belief that all States without exception have an equal and inalienable right to enjoy the protection afforded by this principle, recognized under Article 2 of the United Nations Charter;

   (ii) the right to equality, sovereignty, territorial integrity, non-intervention in internal affairs and self-determination of every State;

   (iii) the inherent right, recognized under Article 51 of United Nations Charter, of individual or collective self-defence which, apart from measures taken or authorized by the Security Council of the United Nations, is the only legitimate exception to the overriding principle of the non-use of force in relations between States,

2. Requests the nuclear-weapon States to reaffirm these principles on their behalf.
Item 12

C

The Conference of Non-Nuclear-Weapon States,

Considering that the establishment of nuclear-weapon-free zones, on the initiative of the States situated within each zone concerned, is one of the measures which can contribute most effectively to halting the proliferation of those instruments of mass destruction and to promoting progress towards nuclear disarmament,

Noting that a nuclear-weapon-free zone is of benefit to the security and economic development of the States within the zone, since it frees their territories from the danger of nuclear attack and avoids the squandering of their resources on the production of nuclear armaments,

Taking into account the conclusions which follow from resolutions 1911 (XVIII) and 2033 (XX) of the United Nations General Assembly,

Recalling that General Assembly resolution 2028 (XX) established the principle of an acceptable balance of mutual responsibilities and obligations of the nuclear-weapon and non-nuclear-weapon States,

Recalling further that in resolution 2153 A (XXI) the General Assembly expressly called upon all nuclear-weapon Powers to refrain from the use, or the threat of use, of nuclear weapons against States which might conclude regional treaties in order to ensure the total absence of nuclear weapons in their respective territories,

Convinced that, for the maximum effectiveness of any treaty establishing a nuclear-weapon-free zone, the co-operation of the nuclear-weapon States is necessary and that such co-operation should take the form of commitments likewise undertaken in a formal international instrument which is legally binding, such as a treaty, convention or protocol,

Observing that the Treaty for the Prohibition of Nuclear Weapons in Latin America, or Treaty of Tlatelolco, has already established a nuclear-weapon-free zone comprising territories densely populated by man,

Noting that Additional Protocol II of that Treaty defines the following obligations to be assumed by the nuclear-weapon States:

(a) to respect "in all its express aims and provisions" the "status of denuclearization of Latin America in respect of warlike purposes, as defined, delimited and set forth" in the Treaty of Tlatelolco;

(b) "not to contribute in any way to the performance of acts involving a violation of the obligations of article 1 of the Treaty in the territories to which the Treaty applies", and

(c) "not to use or threaten to use nuclear weapons against the Contracting Parties of the Treaty", 

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Recalling that in resolution 2286 (XXII) the General Assembly invited Powers possessing nuclear weapons "to sign and ratify Additional Protocol II of the Treaty as soon as possible",

- A -

Recommends all non-nuclear-weapon States not comprised in the zone established by the Treaty of Tlatelolco to initiate or continue such studies as they may deem opportune concerning the possibility and desirability of establishing by treaty the military demilitarization of their respective zones, provided that political and security conditions permit.

- B -

1. Regret the fact that not all the nuclear-weapon States have yet signed Additional Protocol II of the Treaty of Tlatelolco;

2. Urges the nuclear-weapon Powers to comply in full with paragraph 4 of resolution 2286 (XXII) adopted by the United Nations General Assembly on 5 December 1967.

Item 13

D

The Conference of Non-Nuclear-Weapon States,

Having discussed the question of "Effective measures for the prevention of further proliferation of nuclear weapons, the cessation of the nuclear arms race at an early date and nuclear disarmament",

Noting in mind that the achievement of the goal of nuclear non-proliferation necessitates the adoption of measures to prevent both horizontal and vertical proliferation,

Recognizing the growing concern of world opinion at the continuous expansion of research and development relating to new nuclear weapons,

Mindful of the report of the Eighteen-Nation Committee on Disarmament to the United Nations General Assembly of 28 August 1968 (ENDC/236),

Convicted that an agreement on nuclear disarmament would be facilitated by the adoption of various collateral measures,

Considering that such collateral measures should promote general and complete disarmament under international control,

Requests the United Nations General Assembly, at its twenty-third regular session, to recommend that the Conference of the Eighteen-Nation Committee on Disarmament should begin, not later than March 1969, to undertake negotiation for:
(a) the prevention of the further development and improvement of nuclear weapons and their delivery vehicles;

(b) the conclusion of a comprehensive test ban treaty, as an important step in the field of nuclear disarmament, and as a matter of high priority;

(c) reaching agreement on the immediate cessation of the production of fissile materials for weapons purposes and the stoppage of the manufacture of nuclear weapons;

(d) the reduction and subsequent elimination of all stockpiles of nuclear weapons and their delivery systems.

E

The Conference of Non-Nuclear-Weapon States,

Noting the agreement reached between the Governments of the USSR and the United States in July 1968 to enter in the nearest future into bilateral discussion on the limitation of both offensive strategic nuclear weapons delivery systems and systems of defence against ballistic missiles,

Observing that such discussions have not yet taken place,

Recalling that Article VI of the Treaty on Non-Proliferation of Nuclear Weapons embodies an undertaking of the Parties to the Treaty to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament,

Convinced that negotiations between the two nuclear-weapon powers should aim at, and lead to, negotiations among all such powers with a view to the cessation of the nuclear arms race and to the achievement of nuclear disarmament and relaxation of tensions,

Deeply concerned at the imminent danger of a renewal of the strategic nuclear arms race and its escalation to new levels which would become uncontrollable and of the consequent grave threat to the security of all States,

Emphasizing the special responsibility of the United States and the USSR to avert that danger,

Conscious of the vital need of mankind for a diversion to peaceful purposes of the resources at present consumed by the maintenance and augmentation of nuclear destructive power,

Urges the Governments of the USSR and the United States to enter at an early date into bilateral discussions on the limitation of offensive strategic nuclear weapons delivery systems and systems of defence against ballistic missiles.
Item 13 (a)

F

The Conference of Non-Nuclear-Weapon States,

Convinced that the proliferation of nuclear weapons would endanger the security of all States,

Recognizing the urgency and great importance of preventing the proliferation of nuclear weapons,

Recognizing further that the danger continues to exist that an increase in the number of States possessing nuclear weapons may occur, aggravating international tension and the difficulty of maintaining regional and world peace and security,

Mindful that the International Atomic Energy Agency is most suited to administer safeguards designed to prevent the diversion of source or special fissionable material from peaceful uses to the production of nuclear weapons or other nuclear explosive devices,

Recommends the acceptance of the IAEA system of safeguards, as may be evolved from time to time, by all the non-nuclear-weapon States, as set forth in an agreement to be negotiated and concluded with the IAEA in accordance with its safeguards system which would provide against diversion of source or fissionable material whether it is produced, processed or used in any principal nuclear facility or is outside any such facility established with or without the assistance of the IAEA, including those principal nuclear facilities which may have been established in pursuance of any bilateral or multilateral arrangements, as a step towards the non-proliferation of nuclear weapons.

G

The Conference,

Considering that the non-proliferation of nuclear weapons is regarded as a step towards effective nuclear disarmament and a contribution to international co-operation in the peaceful uses of nuclear energy,

Recalling that both nuclear-weapon and non-nuclear-weapon States carry the responsibility of acting in accordance with the principles of the Charter, including the principle that the sovereign equality of all States should be respected,

Considering that, because of the present structure of the International Atomic Energy Agency, many countries are not adequately represented in the Board of Governors, which is the organ responsible for safeguards in that Agency,

Considering that any system of collective inspection must be based on the principle that every country inspected must be adequately represented in the body responsible for carrying out the inspections,
Considering also that it is necessary to improve and simplify the safeguards system at present being applied by IAEA so that it can better discharge its new responsibilities,

Emphasizing the desirability of promoting activities for the establishment of a modern and efficient safeguards system based on supervision of the flow of fissionable materials by means of instruments and other techniques at certain strategic points,

1. Recommends the establishment, within the International Atomic Energy Agency and under its Board of Governors, of institutional machinery on safeguards of which both countries supplying nuclear materials, as well as member countries whether possessing nuclear facilities or not, shall form part;

2. Recommends to IAEA that, in the process of improving and simplifying the safeguards system, inter alia, the following objectives be given appropriate consideration:
   
   (a) The safeguard procedures should be simplified by the use of instruments and other technical devices at certain strategic points of the flow of nuclear materials, with a view to restricting the safeguarding operations to the necessary minimum;

   (b) Simplification of safeguards in respect of fissionable materials in small quantities for use in scientific research;

   (c) Incorporation in the agreements of the rules laid down against industrial risks, including industrial espionage, by the Statute of IAEA, the decisions of the Board of Governors and directives of the Director General, particularly with regard to the possibility of challenging inspectors;

3. Urges the nuclear-weapon Powers to conclude with IAEA safeguard agreements consistent with the relevant rules;

4. Considers it essential that rules should be drawn up to avoid duplication of safeguard procedures and consequent commercial discrimination;

5. Invites the Secretary-General of the United Nations, Secretary-General of the Conference, to communicate this resolution to the International Atomic Energy Agency, together with the records of the discussions thereon and other relevant documents.