COMMITTEE TWO
SUMMARY RECORDS OF THE FIRST TO THE SEVENTEENTH MEETINGS
held at the Palais des Nations, Geneva
from 4-25 September 1968.

The list of representatives attending the Conference is found in the document containing the summary records of the plenary meetings (A/CONF.35/SR.1-20).

Chairman: Mr. NABWERA Kenya
Rapporteur: Mr. Alfonso SANTA CRUZ Chili
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(b) Assistance and co-operation in development of the application of nuclear energy for peaceful purposes, in the territories of the non-nuclear-weapon States, with due consideration for the needs of the developing areas of the world (continued)

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(b) Assistance and co-operation in development of the application of nuclear energy for peaceful purposes, in the territories of the non-nuclear-weapon States, with due consideration for the needs of the developing areas of the world (continued)

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(d) Benefits from peaceful applications of nuclear explosions to non-nuclear-weapon States which have renounced the production, acquisition and use of nuclear weapons pursuant to special international agreement or agreements through an appropriate international body or through bilateral arrangements (continued)

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(a) Access to and exchange of equipment, materials and scientific and technological information for the peaceful uses of nuclear energy among non-nuclear-weapon States and nuclear-weapon States (continued)

(b) Assistance and co-operation in development of the application of nuclear energy for peaceful purposes, in the territories of the non-nuclear-weapon States, with due consideration for the needs of the developing areas of the world (continued)

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(b) Assistance and co-operation in development of the application of nuclear energy for peaceful purposes, in the territories of the non-nuclear-weapon States, with due consideration for the needs of the developing areas of the world (concluded)

(c) The question of nuclear explosions for peaceful uses (concluded)

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Conclusion of the Committee's work
SUMMARY RECORD OF THE FIRST MEETING

held

on Wednesday, 4 September 1968, at 3.20 p.m.

Chairman: Mr. NABWERA Kenya
Rapporteur: Mr. Alfonso SANTA CRUZ Chile
ELECTION OF VICE-CHAIRMAN AND RAPPORTEUR

Mr. ZELLEKE (Ethiopia), supported by Mr. BETTINI (Italy) and Mr. Otero NAVASCUES (Spain), proposed Mr. Eschauzier (Netherlands) for the office of Vice-Chairman of the Committee.

Mr. Eschauzier (Netherlands) was elected Vice-Chairman of Committee Two by acclamation.

Mr. MIRZA (Pakistan), supported by Mr. KHEBILLI (United Arab Republic) and Mr. AL MISALLATI (Libya), proposed Mr. Alfonso Santa Cruz (Chile) for the office of Rapporteur of Committee Two.

Mr. Alfonso Santa Cruz (Chile) was elected Rapporteur of the Committee by acclamation.

ORGANIZATION OF WORK

The CHAIRMAN recalled that, in accordance with the General Committee's recommendation, item 14 of the agenda (A/CONF.35/2), which consisted of four sub-items, had been referred to Committee Two. The Committee should decide whether that agenda item would be considered as a whole, whether each of the sub-items would be considered separately or, whether the item would first be considered as a whole and then sub-item by sub-item.

Mr. KHERADMER (Iran) pointed out that the way in which the various sub-items of item 14 were drafted showed that they concerned different questions. Sub-item (c), for example, which related to nuclear explosions for peaceful uses, was far removed from sub-item (a), which concerned access to equipment and scientific information for the peaceful uses of nuclear energy. It would therefore be preferable to consider the various sub-items one by one.

Mr. KRISHNAN (India) agreed that the questions covered by the four sub-items of item 14 were different; they were, nevertheless, connected. The Indian delegation would prefer the Committee to start with a general discussion, in which delegations would be free to refer to any given sub-item, and then consider each of the sub-items separately.

Mr. SOLÉ (South Africa) thought that the four sub-items had many points in common, particularly sub-items (a) and (b), on the one
hand, and sub-items (c) and (d) on the other. It was difficult, for example, to speak of nuclear explosions for peaceful uses, the subject of sub-item (c), without speaking of their benefits to non-nuclear-weapon States, which was the subject of sub-item (d). A general discussion on item 14 as a whole would probably be the best solution.

Mr. GONZALEZ de LEON (Mexico) said that he too thought that those questions were connected and that it would be better to have a preliminary exchange of views on the item as a whole before considering the four sub-items separately.

Mr. BARNETT (Jamaica) agreed with the representative of South Africa that the sub-items of item 14 formed two pairs and that it would be advisable to study the question generally to begin with and then to consider sub-items (a) and (b), on the one hand, and sub-items (c) and (d) on the other.

Mr. USMANI (Pakistan) recalled that the drafting of the agenda had taken a considerable time and that all were aware of the reasons why item 14 had been divided into four sub-items. He saw no point in having a general discussion; it would be better to consider each of the four sub-items separately, leaving delegations free to refer to the others.

Mr. BALESTRA di MOTTOLA (Costa Rica) said that experience had shown that a general discussion in Committee was often no more than a repetition of the debates in plenary. In the present case a general discussion would be useless and a considerable waste of time.

The CHAIRMAN suggested that an intermediate solution should be adopted and that the Committee should decide that the four sub-items of item 14 would be studied one by one without a general discussion, but that during the examination of any sub-item delegations would be free to refer to questions which were the subject of other sub-items.

It was so decided.

The meeting rose at 3.55 p.m.
SUMMARY RECORD OF THE SECOND MEETING

held
on Thursday, 5 September 1968, at 3.15 p.m.

Chairman: Mr. NABWERA Kenya
Rapporteur: Mr. Alfonso SANTA CRUZ Chile
PROGRAMMES FOR CO-OPERATION IN THE FIELD OF PEACEFUL USES OF NUCLEAR ENERGY (agenda item 14):

(a) ACCESS TO AND EXCHANGE OF EQUIPMENT, MATERIALS AND SCIENTIFIC AND TECHNOLOGICAL INFORMATION FOR THE PEACEFUL USES OF NUCLEAR ENERGY AMONG NON-NUCLEAR-WEAPON STATES AND NUCLEAR-WEAPON STATES

Mr. OTERO NAVASCUES (Spain) said that his country attached great importance to the development of the peaceful uses of nuclear energy. Spain's raw materials and the level of its technological development would in fact have enabled it to undertake a military programme. Indeed, Spain ranked second among Western European countries with regard to nuclear raw materials and it occupied a competitive position with respect to the nuclear production of electric power. One nuclear power station was already in operation, two others were at an advanced stage of construction and four were under study; four research reactors had been built. In September 1967, a small plant for the retreatment of irradiated fuel had been successfully put into operation and had thus made it possible for Spain to achieve the complete fuel cycle beginning with the hexafluoride of enriched uranium. The production and utilization of isotopes were being developed at a rapid pace. Thus Spain was making its contribution, albeit a modest one, to the development of nuclear science and technology. It consequently attached the greatest importance to free access to equipment, nuclear materials, enrichment plants and scientific and technological information and to the free exchange of such equipment, materials and information.

It was clear that there was technological "spin-off" from the military applications of nuclear energy. Uranium-enrichment installations, for example, would never have been built had it not been for the military applications. The same was true in the case of enriched-uranium reactors and of nuclear explosions for peaceful purposes. Such technological "spin-off" placed nuclear-weapon States at an advantage with respect to commercial competition in the peaceful applications of nuclear energy. The present Conference should therefore endeavour to ensure that countries which had renounced nuclear weapons should have some counterpart. To take the example of enriched uranium,
which made it possible to have the most economical power stations, the suppliers of that material constituted an oligopoly - it might almost be called a pliopoly if the dominant position of the United States was taken into consideration. It would therefore be desirable that the International Atomic Energy Agency (IAEA) should serve as a centre for the supply of enriched uranium at uniform international prices. It would also be desirable for the countries which possessed the technology for enriching uranium to provide that technology, at the present stage of its development, to international and regional groups so that the latter could build plants to enrich uranium up to 5 per cent. The nuclear-weapon countries would retain the advantage of being able to write off part of the costs of their plants against their military budgets. The same principle of the transfer of technology could be applied to other processes such as ultra-centrifugation, retreatment, and breeder reactors. Such plants would of course continue to be subject to the relevant safeguards. The application of that principle - which merely developed article IV of the Treaty on the Non-Proliferation of Nuclear Weapons - would be a tremendous step towards international equity with regard to the peaceful applications of nuclear energy.

With respect to the question of safeguards, he wished to voice his delegation's concern about the rigidity with which they were applied in accordance with current IAEA standards. In his delegation's opinion, those safeguards should be implemented only at essential stages of the uranium treatment process, through a system of automatic control. It was clear that the implementation of such safeguards should be of a universal nature and should not be discriminatory.

Mr. OGISO (Japan) asked what arrangements had been made to inform Committee Two of the activities of IAEA in the field which the Committee was studying.

The CHAIRMAN replied that there were representatives of IAEA attending the Committee's meetings and they would be able to provide all the necessary information.

The meeting rose at 3.35 p.m.
SUMMARY RECORD OF THE THIRD MEETING

held on Monday, 9 September 1968, at 3.15 p.m.

Chairman: Mr. NABWERA
Rapporteur: Mr. Alfonso SANTA CRUZ Chile
PROGRAMMES FOR CO-OPERATION IN THE FIELD OF PEACEFUL USES OF NUCLEAR ENERGY (agenda item 14):

(a) ACCESS TO AND EXCHANGE OF EQUIPMENT, MATERIALS AND SCIENTIFIC AND TECHNOLOGICAL INFORMATION FOR THE PEACEFUL USES OF NUCLEAR ENERGY AMONG NON-NUCLEAR-WEAPON STATES AND NUCLEAR-WEAPON STATES (continued)

(b) ASSISTANCE AND CO-OPERATION IN DEVELOPMENT OF THE APPLICATION OF NUCLEAR ENERGY FOR PEACEFUL PURPOSES, IN THE TERRITORIES OF THE NON-NUCLEAR-WEAPON STATES, WITH DUE CONSIDERATION FOR THE NEEDS OF THE DEVELOPING AREAS OF THE WORLD

Mr. BETTINI (Italy) announced that the Italian delegation was placing two working papers before the Committee, the first (A/CONF.35/C.2/1) on the establishment of machinery responsible for the implementation of the conclusions of the Conference and the second (A/CONF.35/C.2/2) on the establishment of an international body for cooperation in nuclear explosions for peaceful uses (a body for which article V of the Treaty on the Non-Proliferation of Nuclear Weapons made provision).

The idea underlying the first proposal was that the Conference's conclusions would not be effective unless there was machinery responsible for promoting the measures required for their implementation. Further, as the Conference had been accorded very little time, any conclusions it reached could only be of an extremely general character. The establishment of a body in which the discussions might continue on practical matters should therefore be contemplated, for otherwise the study of cooperation in the field of the peaceful uses of nuclear energy as provided for in article IV of the Treaty could be resumed only five years after the Treaty came into effect; that was to say, in six or seven years' time. No doubt the relevant questions might be raised in the General Assembly of the United Nations or in the First Committee of the Assembly, but those were political bodies and met only once a year, and that would not satisfy the increasingly felt need for technical and sustained discussions. The Italian delegation was therefore proposing (a) the convening of the Conference at regular intervals every year; (b) the establishment of a permanent United Nations committee on the use of nuclear energy for peaceful purposes. The twofold proposal might be embodied in a Conference recommendation
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-- a draft for which was appended as an annex to the first working paper -- to the twenty-third session of the General Assembly.

The proposed committee might meet at Geneva and its specific terms of reference would be to see that the Conference's conclusions were put into effect and to prepare the work of future sessions of the Conference. Its membership might be based on the principles of geographical distribution and numerical composition which had been applied in setting up the General Committee of the Conference, nuclear-weapon countries being also included. On that point, however, the Italian delegation would be prepared to consider any suggestion that was put forward.

The Mexican delegation had submitted a first-rate document on the question of nuclear explosions for peaceful uses, the subject of the second working paper submitted by the Italian delegation (A/CONF.35/C.2/2); the Italian delegation endorsed the main line of thought expressed in the Mexican paper and was merely seeking to take it to a conclusion. His delegation was not actually proposing the establishment of a body or the conclusion of a treaty for its establishment: all it was doing was to raise certain questions which must be considered if a body for co-operation in nuclear explosions for peaceful uses was indeed to be established. He considered that a new body should be set up rather than that one of the existing bodies should be adapted. A compromise, which in fact covered the main idea in the Mexican proposal and might be supported by the Italian delegation, would be to set up an autonomous body within the International Atomic Energy Agency (IAEA). That idea, incidentally, was based on interesting precedents, as two autonomous institutions already existed within the Organization for Economic Co-operation and Development (OECD), for example - the European Monetary Agency and the European Nuclear Energy Agency (ENEA). The International Atomic Energy Agency could not itself do what the proposed body would be called upon to do, since the countries prepared to sign a multilateral agreement in order to benefit from co-operation in nuclear explosions for peaceful uses would not necessarily be the same as the members of IAEA, and the Agency was not organized to undertake that work, since
it had other priorities, and matters relating to peaceful explosions were likely to be neglected; in other words, the Agency would have to be overhauled from top to bottom. He therefore considered that it would be wiser to set up a separate body.

Any international agreement that might be drawn up should not be discriminatory and its provisions should be applicable to all signatories without exception, whether nuclear or non-nuclear States. The body set up under such an agreement should receive requests from Member States to arrange for any explosions they needed. It would be vested with the necessary powers to make available to States on request, through the nuclear Powers, the services they required. The nuclear Powers should of course be in a position to keep to the programmes of the permanent body, so that a regular service could be assured.

Mr. d'AVERNAN (Belgium), dealing with agenda items 14(a) and (b), drew a distinction between the military nuclear countries, the non-military nuclear countries and the countries which were not yet nuclear. The last-named could obtain technical assistance, which was already supplied on a large scale, from international organizations such as IAEA, from regional organizations and through bilateral agreements, even though those agreements were sometimes partly motivated by political or commercial considerations. The problem was how to increase that assistance. IAEA supplied effective assistance, well managed and impartial, in the form of experts and information, the award of fellowships, the supply of material and the like, but the funds available were quite inadequate to meet the demand. His delegation suggested that the military nuclear countries should atone for their "nuclear sin" by paying IAEA yearly, as a voluntary contribution for technical assistance, an amount that should, in principle, be four times their regular contributions under the scale of charges, but not exceeding three times the amount of the highest current contribution. Those sums would be earmarked exclusively for technical assistance expenditures for countries which were not yet nuclear. Perhaps, though it was highly unlikely, that additional expense would give military nuclear countries an excuse for resigning from the military atomic club.
As to the non-military nuclear countries, he noted that Mr. Sagane (A/CONF.35/DOC.5) and the representative of Spain at the 2nd meeting had argued that when a country which could become militarily nuclear renounced nuclear weapons, it lagged behind the "Big Two" technically and industrially. Mr. Sagane proposed that the problem should be solved by setting up a new non-political organization for solely technical and commercial purposes. He himself was not sure that that ideal solution was compatible with the industrial interests of countries considered individually. The establishment of a new body would be justified only for all peak technologies, and IAEA would then be an integral part of it.

He would rather suggest that the non-military nuclear countries should be advised to base what they did on the adage "God helps those who help themselves". As a first step in that direction, the formation of industrial combinations in the nuclear countries should be encouraged, especially among the non-military nuclear countries. States would promote the establishment of such combinations by legislation and would take the appropriate fiscal measures and measures for the exchange of patents. Such mergers would have to go hand in hand with specialization in order to prevent both duplication and the creation of monopolies. The combinations might concern themselves with manufacturing fuel elements, reactor-core tanks, and nuclear-plant auxiliary systems with the production of graphite and heavy water, with re-treating irradiated fuel and even with isotope-separation to produce enriched uranium. Such combinations might succeed in making their costs competitive with those of the military nuclear countries. Furthermore, the non-military nuclear countries would try always to obtain their supplies from each other, rather than from the military nuclear countries.

There was a very great deal to do in those various ways. He did not believe that the Conference could reach a decision on the establishment of a new international body to provide assistance for the development of peaceful nuclear activities nor on the level of the contributions which the military nuclear countries could be asked to pay.

Mr. SOLE (South Africa) expressed regret that, in convening the present Conference, the General Assembly had decided to deprive
the nuclear Powers of the right to vote and thus to assign them a passive role. Without a dialogue between the nuclear Powers and the non-nuclear Powers, the Conference could hardly produce any positive results. Whatever resolutions were adopted by the Conference, the nuclear Powers would not consider themselves bound by them, since they would not have taken part in drafting them. He would therefore like the nuclear Powers to be given a better opportunity of making themselves heard at the Conference.

Turning to agenda item 14(a), he pointed out that access to equipment, materials and scientific and technological information for the peaceful uses of nuclear energy was subject to three kinds of restrictions. The first was restrictions imposed for reasons of security. That was a field in which practically nothing could be done, since a country could not be persuaded to reveal information which it considered essential for its own security. The second kind was restrictions based on commercial interests. There too it was difficult, in practice, to undertake any action, for no country would be willing to furnish information about the industrial processes it had developed unless those processes were adequately protected by patents. The third kind comprised restrictions based on political or other reasons. In his view, those restrictions might to some extent be weakened if the Conference adopted a resolution in which it stressed the right of access to equipment, materials, and scientific and technological information for the peaceful uses of nuclear energy, on a basis of equality, for all countries which wished to have access to them. He hoped the Conference would adopt a resolution concerning equality of access. Absolute freedom of access was not, of course, practicable, in view of the already-mentioned considerations of a commercial and security nature, but the principle of equality of access was a principle to be striven for, and one which applied to the nuclear Powers as well as to the non-nuclear developed countries.

Leaving aside the three kinds of restrictions referred to above, and if the available equipment, materials and scientific and technological information were considered in detail, the inevitable conclusion was that equipment, materials and information were available in far greater quantities than could be absorbed by any
country which was not highly developed. Any country wishing to undertake a nuclear programme had some information at its disposal, either as a result of bilateral agreements concluded between certain countries or through IAEA. Materials were at present available at lower prices than ten years ago. Countries had so far made very few calls on IAEA's stock of special fissionable materials. So far as equipment was concerned, any country wishing to build a reactor could choose between many suppliers. The real problem, therefore, was to find the necessary funds with which to create a basic infrastructure and to undertake a nuclear programme. In that field, just as in that of trade and development, the principle of "self-help" should be the rule. Efforts should therefore be concentrated on essential requirements, for more positive results would thus be obtained in the long run than by attempting to carry out prestige projects.

Lastly, he drew attention to one problem which was of special interest to his country, as well as to all countries wishing to build reactors using uranium of a low, up to 5 per cent, degree of enrichment, i.e. for peaceful purposes only: for those countries it was absolutely necessary to be able to draw on more than one source of supply of slightly enriched uranium.

Mr. BANCORA (Argentina) said that although he had not yet been able to consider in detail the two proposals presented by the Italian delegation, he could already make two general comments on them. He had no objection to the proposal to set up a permanent committee responsible for continuing the work which the Conference had begun. The situation was entirely different, however, when it came to the proposal to establish an international body which would be separate from IAEA and responsible for all matters relating to nuclear explosions for peaceful purposes. The proliferation of international organizations, as well as of nuclear weapons, must be prevented. The establishment of new organizations placed a very heavy burden on the financial and personnel resources of States Members, particularly the developing countries.

The Atomic Agency had already played a very useful part, and its Statute was drafted in such a way as to permit all kinds of assistance. The access to equipment, materials and scientific and technological
information for the peaceful uses of nuclear energy referred to in agenda item 14(a) could be very easily arranged under article III A, paragraph 2, of the Statute of the IAEA without there being any need to set up a parallel international body for that purpose. The Agency's machinery could undoubtedly be adapted to current difficulties if the need arose, but it was unnecessary to establish a body which would duplicate its work. Moreover, the new body's field of activity would be very close to that of IAEA, and it was hardly conceivable that activities of the same kind should be carried out by two different bodies.

To be sure, IAEA's assistance programmes were suffering from the inadequacy of voluntary contributions, but it would be better to allocate the funds involved in the establishment of a new body to IAEA's assistance programme, and to make provision, where necessary, for the supervisory and administrative functions which the Agency had to discharge.

Mr. HAYMERLE (Austria) unreservedly supported the Argentine representative's statement.

ORGANIZATION OF WORK

The CHAIRMAN pointed out that the Committee had decided to consider the four sub-items of agenda item 14 separately. It had better consider sub-items (a) and (b) first, and postpone consideration of the documents relating to sub-items (c) and (d) until later.

With reference to a remark by the representative of South Africa, he observed that the delegations of the nuclear-weapon States had the same rights as other delegations, with the exception of the right to vote; it was to be hoped that they would take an active part in the debates.

Mr. BJÖRNERSTEDT (Executive Secretary of the Conference), replying to two questions asked by Mr. AKWEI (Ghana), said that the delay in the appearance of the summary records was due to the Secretariat's being overburdened with work; everything would be done to have the records circulated as quickly as possible. An account of IAEA's activities could be found in the Agency's annual report.

Mr. de LEON (Mexico) recalled that at the 2nd meeting he had advocated a preliminary general debate on the four sub-items of item 14 of the agenda taken together. When the contrary solution was adopted,
it had been understood that delegations would be completely free, when examining any sub-item, to refer to related questions which were the subject of other sub-items. Moreover, since no working paper concerning sub-items (a) and (b) had yet been presented, consideration should be given without further delay to those which dealt with sub-items (c) and (d) and which, like the one submitted by the Mexican delegation, were already available.

The CHAIRMAN, replying to a question by Mr. USMANI (Pakistan), announced that he would outline the programme of work on agenda item 14 at the next meeting, after consulting the other officers.

The meeting rose at 4.25 p.m.
SUMMARY RECORD OF THE FOURTH MEETING

held
on Tuesday, 10 September 1968, at 3.15 p.m.

Chairman: Mr. NABWERA Kenya
Rapporteur: Mr. Alfonse SANTA CRUZ Chile
ORGANIZATION OF WORK

The CHAIRMAN announced that, following the question asked by the Pakistan representative at the 3rd meeting, the General Committee had met and had drawn up a time-table for the work of the Committee. The General Committee recommended that six meetings should be devoted to consideration of sub-items (a) and (b) of agenda item 14 and eight meetings to sub-items (c) and (d), the last two meetings being reserved for discussion of the report which the Committee would submit to the Conference.

Mr. Sole (South Africa) said that the work programme proposed by the General Committee was acceptable, but it might need to be modified as the work progressed. The discussion could be speeded up by setting a time-limit for the submission of draft resolutions.

Mr. Usmani (Pakistan) said that the work programme should not be rigid. If the consideration of sub-items (a) and (b) could be completed in less than six meetings, that would leave all the more time for examination of the Committee's report to the Conference.

The CHAIRMAN confirmed that the time-table could be modified if the need arose, especially if the two meetings reserved for discussion of the Committee's last item were not sufficient.

PROGRAMMES FOR CO-OPERATION IN THE FIELD OF PEACEFUL USES OF NUCLEAR ENERGY (agenda item 14):

(a) ACCESS TO AND EXCHANGE OF EQUIPMENT, MATERIALS AND SCIENTIFIC AND TECHNOLOGICAL INFORMATION FOR THE PEACEFUL USES OF NUCLEAR ENERGY AMONG NON-NUCLEAR-WEAPON STATES AND NUCLEAR-WEAPON STATES (continued)

(b) ASSISTANCE AND CO-OPERATION IN DEVELOPMENT OF THE APPLICATION OF NUCLEAR ENERGY FOR PEACEFUL PURPOSES, IN THE TERRITORIES OF THE NON-NUCLEAR-WEAPON STATES, WITH DUE CONSIDERATION FOR THE NEEDS OF THE DEVELOPING AREAS OF THE WORLD (continued)

Mr. Usmani (Pakistan) said that the questions arose from agenda item 14(a): what were generally the needs of non-nuclear-weapon States regarding access to equipment, materials and scientific and technological information for the peaceful uses of nuclear energy, and what was the best mechanism for access to and exchange of equipment, materials and technology?
The answer to the first question depended not only on the level of scientific and technological development of the State desiring to have access to some specific equipment or information, but also on the nature of the nuclear programme being carried out in its territory. The peaceful uses of nuclear energy might be divided into two categories: the first harnessed the energy produced by atomic fission to generate heat or electricity, while the second applied the radiations from radio-isotopes, obtained as by-products of fission, in such fields as medicine, agriculture and industry. Whichever use a country desired to exploit in its economic development programme, it needed a well-trained corps of nuclear scientists, engineers and technicians. The non-nuclear-weapon States, particularly those of Africa, Latin America and Asia, might therefore desire to have access to scientific institutions and establishments in advanced nuclear-weapon and non-nuclear-weapon States; that came within the definition of "scientific and technological information". His delegation attached very great importance to the training of technicians in the developing countries and hoped that the Conference would accept that interpretation and adopt a recommendation ensuring freedom of access for the personnel of one State to the nuclear establishments of another, irrespective of whether either of the two States were or were not nuclear-weapon States. Article IV of the Treaty on the Non-Proliferation of Nuclear Weapons merely provided that the Parties should co-operate "with due consideration for the needs of the developing areas of the world" and contained no provision expressly guaranteeing such freedom of access: it was rather vague and should be elaborated in the sense he had outlined.

The application and uses of radiations and radiation sources presented no problems: practically all the scientific and technological information relating to the uses of radio-isotopes was freely available, and the equipment and materials could be obtained from the more advanced countries. Non-nuclear-weapon States desiring to develop that application were therefore not handicapped. Some industrial processes and techniques might be a trade secret or covered by a patent, but rights for the exploitation of such processes could always be negotiated.
The harnessing of nuclear energy for heat or electricity, however, presented certain difficulties for the non-nuclear-weapon States. A country desiring to produce energy from a nuclear source required, apart from trained personnel: (i) nuclear reactors for energy and research, (ii) uranium ore refining plants, (iii) plants for the manufacture of natural or enriched nuclear fuel, (iv) fuel re-processing and plutonium recovery plants and (v) U-235 separation and enrichment plants. Non-nuclear-weapon States already had access to technological information concerning all the above plants, with the exception of U-235 separation and enrichment plants, and to some extent, of fuel re-processing and plutonium recovery plants. As was well known, natural uranium contained only 0.7 per cent of fissionable isotope of uranium 235, but that proportion could be raised to 3 or 4 per cent by treatment in a separation or enrichment plant, so that a higher "burn-up" and accordingly a greater efficiency of the nuclear reactor could be achieved. U-235 isotope separation and enrichment plants, however, were the monopoly of the nuclear-weapon States, and it had to be asked what assurance those States could give to the non-nuclear-weapon States concerning access to the technology of enriched fuel production or, failing that, the supply of such fuel.

With regard to declassified technologies and equipment for which non-nuclear-weapon States depended on the advanced countries, both nuclear and non-nuclear, clear assurances were required that there would be no recourse to export controls or other methods to deny such equipment, provided that the recipient State (i) was a party to the Treaty on the Non-Proliferation of Nuclear Weapons or (ii) had subscribed to the Treaty in its present form or (iii) had renounced the production, acquisition and use of nuclear weapons by an instrument having mandatory force, or (iv) had volunteered to place all its nuclear facilities under the International Atomic Energy Agency (IAEA) system of safeguards or (v) entered into a regional or bilateral system for the inspection of the principal nuclear facilities in a particular region on a reciprocal basis and adopted safeguards on the pattern of the IAEA system.

Since the non-nuclear-weapon States were dependent on the Nuclear Powers for the supply of enriched fuel and the re-processing of spent fuel, it was essential that those non-nuclear-weapon States which came
within one of the above five categories should be given unequivocal guarantees in that matter.

There was, lastly, the question of how access to equipment, materials and information on the peaceful uses of nuclear energy should be organized. His delegation held the view that supplies of enriched fuel and special fissionable material should be routed either through an international agency expressly set up for the purpose, as the Italian and Brazilian representatives had proposed, or, preferably, through a re-constituted IAEA. Such an agency would be regarded by all countries as the repository of such fuel, and any danger of political discrimination against a non-nuclear-weapon State would thus be removed. Once the supplies of enriched fuel were routed through that agency at prices which might be reduced substantially if the proliferation of nuclear weapons ceased as a result of negotiations in the Eighteen-Nation Committee on Disarmament, the question of re-processing such fuel would be automatically solved.

Mr. SCHNIPPENKOETTER (Federal Republic of Germany) said that he proposed to comment on agenda item 14(a), which was concerned mainly with the exchange of equipment, materials and information for the peaceful uses of nuclear energy. What were the peaceful uses of nuclear energy? The answer to that question was clearly related to the Treaty on the Non-Proliferation of Nuclear Weapons but the wording of the Treaty was not sufficiently explicit to permit a definition of peaceful uses, as distinct from the prohibited production of nuclear weapons, which did not lend itself to different interpretations. The possibility of unilateral interpretation had already been demonstrated during the debates in the Eighteen-Nation Committee on Disarmament, in other United Nations bodies and in the competent national organs of certain States. The Italian Minister for Foreign Affairs had in fact suggested that the Conference should set forth specific and concrete proposals, among which the definition of the technical terms of the Treaty could be useful.

The Government of the Federal Republic of Germany understood that the Treaty's sole purpose was to prevent States which did not at present possess nuclear weapons from manufacturing or otherwise acquiring nuclear weapons and other explosive nuclear devices. The provisions of the Treaty were therefore exclusively designed to achieve that objective.
Those provisions must in no way result in the restriction of the use of nuclear energy for other purposes by non-nuclear Powers which undertook not to manufacture or acquire nuclear weapons and other nuclear explosives.

Since the prohibition applied to the production of nuclear weapons as such, it was necessary to distinguish between the manufacture of nuclear weapons, which was a particular nuclear activity requiring a special technology, and the very wide field of peaceful nuclear energy activities. The factor common to both types of activity was that special fissionable materials could be used for peaceful purposes as well as for the production of nuclear weapons. It was therefore essential to try to ensure that those special fissionable materials could not be diverted from peaceful purposes to the production of nuclear weapons.

While doing the utmost to achieve this end, it was also important to ensure that non-nuclear-weapon States had full and free access to nuclear technology other than that required for nuclear weapon production, to equipment and materials, including source and special fissionable material for their domestic needs and export purposes, and to scientific and technical information for peaceful purposes.

Freedom of research and development work were essential for progress in the peaceful use of nuclear energy and his country considered that the Non-Proliferation Treaty should never be interpreted or applied in such a manner as to hamper or inhibit research and development in that field.

His Government had noted the statement made by the representative of the United States at the 1568th meeting of the First Committee of the United Nations General Assembly on 15 May 1968, in which he had said:

"There is no basis for any concern that this Treaty would impose inhibitions or restrictions on the opportunity for non-nuclear-weapon States to develop their capabilities in nuclear science and technology ..... The Treaty does not ask any country to accept a status of technological dependency or to be deprived of developments in nuclear research ... Non-nuclear-weapon States now have access to not only the present generation of nuclear power reactors, but also that advanced technology, which is still developing, of fast breeder power reactors which, in producing energy, also produce more fissionable material than they consume ... Many nations are now
"engaged in research in an even more advanced field of science, that of controlled thermonuclear fusion. The future developments of this science and technology may well lead to the nuclear reactor of the future, in which the fission process of uranium or plutonium is replaced by the fusion reactions of hydrogen isotopes as the source of energy. Controlled thermonuclear fusion technology will not be affected by the Treaty."

His Government held the view that, under the Treaty, no nuclear activity in research development, production or use was prohibited nor could the supply of knowledge, materials or equipment be denied to non-nuclear-weapon States unless it was clearly established that such activity or such supply was intended for the manufacture of nuclear weapons or other nuclear explosive devices.

Article IV of the Treaty placed an obligation on parties to co-operate in the development of peaceful uses of nuclear energy if they were in a position to do so. His Government expected that national policies restricting the free flow of scientific and technological information would be reviewed in order to promote the fullest possible exchange of such information for peaceful purposes. One positive result of the present Conference could be an unequivocal declaration, in its final resolution, guaranteeing the free access of non-nuclear-weapon States to the whole range of research, development and use of nuclear energy for peaceful purposes.

He reminded the Conference that the documentation services of EURATOM, of which his country was a member, was available not only to individuals, industrial establishments and research institutions of its member States, but also to interested persons in third countries. The European Atomic Energy Community had already established relations with international organizations such as the International Labour Organization (ILO), the World Health Organization (WHO), the Food and Agriculture Organization (FAO), IAEA, the Common Organization of African and Malagasy States (OCAM) and the Inter-American Nuclear Energy Commission (IANEC).

Mr. MORRIS (Australia) said that he wished to make some comments on the whole of agenda item 14, programmes for co-operation in the field of peaceful uses of nuclear energy.
Like the countries whose representatives had already spoken, Australia strongly supported the thesis that all non-nuclear-weapon States Members of the United Nations or members of IAEA should have the fullest access to scientific and technological information and participate in exchanges of materials, equipment and facilities for the peaceful uses of atomic energy. A major part of such exchanges would continue to be effected through bilateral arrangements between various States. It must not be forgotten that at least some of the nuclear-weapon States and other industrially advanced countries had provided, and continued to provide, substantial quantities of equipment, materials and facilities for the peaceful uses of atomic energy. In that connexion, the United States had shown extreme generosity towards the non-nuclear-weapon States.

For those countries which preferred to make arrangements of that type with an international organization, IAEA could, under its Statute and thanks to its practice, meet all needs. The Agency was efficient and its activities covered not only virtually every aspect of nuclear science and technology, but also the broad related field of regulation.

Australia attached great importance to the objectives and functions of IAEA, which it thought exactly corresponded to the topics contained in agenda item 14. To demonstrate that point, he quoted the text of article III A (1) and (2) of the IAEA Statute.

In carrying out its functions, IAEA had in fact already addressed itself to one of the major problems before the Conference, namely the conduct of nuclear explosions for peaceful purposes. More than two years before, IAEA had carried out a safety study for the Government of Panama to ascertain whether nuclear explosions could be used to cut a new Atlantic-Pacific canal, and the study had, incidentally, been entrusted to an Australian scientist. In that same field, IAEA was to convene a panel of experts in 1969 to report on the safe use of nuclear explosions for peaceful purposes.

His delegation believed that IAEA was the organization in the best position to promote the peaceful uses of atomic energy in all their foreseeable ramifications. As the Indonesian representative had said at the 7th plenary meeting, IAEA might have to be adapted to the new tasks entrusted to it. The countries represented at the Conference which were
members of IAEA should bear that point in mind. It should, however, be noted that IAEA had just completed a detailed review of its activities and the preparation of its six-year programme for the period 1969-1974, both of which were directly relevant to the subject matter of agenda item 14.

If the countries represented at the Conference felt that IAEA was insufficiently active in particular fields of technical assistance, it rested at least in part with those countries to remedy the situation since, as States members of IAEA, they could direct the latter's activities. The real remedy lay in increasing the funds available for nuclear development by a re-appraisal at the national level of the various competing needs for international assistance which had to be met, for example, by the United Nations Development Programme (UNDP). The Agency had the experience and skill required to carry out the projects, and it therefore was the task of all the member countries to find the necessary funds, at least in part by a re-examination of priorities.

His delegation thought that the most important practical problem was that of financing nuclear power stations throughout the world, and that problem was especially serious because the building of such power stations entailed higher capital costs than that of conventional power stations. In Australia, for example, it was estimated that between 1975 and 1980 perhaps seven nuclear power stations of about 500 megawatts each, whose total cost would probably be in the neighbourhood of $700 million, might have to be installed.

Between 1980 and 1985, it might be necessary to build eighteen further nuclear power stations of equivalent capacity, and that would necessitate an outlay of more than $2,000 million. During the coming ten to fifteen years, the introduction of nuclear power in non-nuclear-weapon States would cost thousands of millions of dollars. He drew attention to that problem in the hope that that would encourage study of the means of meeting those capital needs.

Some appeared to think that IAEA was somewhat isolated from the main-stream of activity in the United Nations family of organizations. That was obviously not the case, for IAEA was closely related to the United Nations and its specialized agencies and co-ordinating bodies. In addition, IAEA was to provide the scientific service for the Fourth
International Conference on the Peaceful Uses of Atomic Energy which the Secretary-General proposed should be held in Geneva in 1971. Consequently, while the Italian representative had proposed that a new body and a new United Nations special committee for the peaceful uses of nuclear energy should be established (A/CONF.35/C.2/1 and 2), which would prepare for future sessions of the Conference of Non-Nuclear-Weapon States, the problems which were thereby to be resolved were precisely those for which IAEA had been established.

Taking into account all those factors, he suggested that the results of the deliberations of the Conference should be conveyed to IAEA for consideration in accordance with article XVI B (2) of its Statute; that the General Assembly should be informed of that action; and that IAEA should be invited to inform the General Assembly in its annual reports of progress made with respect to the peaceful uses of atomic energy.

Mr. URQUIOLA (Philippines) referred to the statements made by the representatives of the United States of America, the United Kingdom and the Soviet Union during the General Assembly debate on the text of the treaty on the Non-Proliferation of Nuclear Weapons (A/CONF.35/DOC.13, sect. III). The Philippine delegation welcomed those statements and the undertakings by those three nuclear-weapon Powers, but it considered that the Treaty could not truly achieve its aim of international co-operation for the peaceful use of nuclear energy and the sharing of potential benefits from peaceful applications unless an attempt was made to achieve a more equitable balance of responsibilities and obligations among the States signatories to the Treaty.

The Conference should consider the question of the manifest disparity between the nuclear-weapon States and the non-nuclear weapon States regarding safeguards for source and fissile materials. The Philippine delegation believed that the safeguards should apply to all States without exception. It noted that the United States and the United Kingdom had agreed, subject to adequate safeguards, to inspection of their nuclear facilities for peaceful uses and hoped that other States would do likewise.

The developing countries earnestly hoped that the nuclear States would undertake to facilitate the exchange of such materials as enriched uranium for peaceful uses in order to ensure their equitable distribution.
to non-nuclear-weapon States. Furthermore, to stimulate the economic development of the developing countries, the nuclear-weapon States should make enriched uranium available to them at preferential prices.

In the matter of access to scientific and technological information the nuclear-weapon countries, whose nuclear technology was far ahead of that of the non-nuclear-weapon countries, should consider extending technical assistance to them, and in particular to the developing countries, by making available more fellowships for training in nuclear technology. Positive action on that matter could narrow the technological gap between the nuclear-weapon and non-nuclear-weapon countries and remove a source of concern and dissatisfaction to the non-nuclear-weapon States which were signatories to the Treaty.

If the Conference succeeded in securing an equitable distribution of obligations and responsibilities among the States signatories to the Treaty, that would help to avert, through the co-operation of all States the danger of a further spread of nuclear weapons.

Mr. NAVACARRILLO (Venezuela) said that the best method of promoting access to equipment, materials and scientific and technological information on the peaceful uses of nuclear energy and their exchange among non-nuclear-weapon and nuclear-weapon States could well be to strengthen IAEA. That Agency was both an important centre for scientific co-operation and information and had programmes of basic importance for access to nuclear technology, especially in vocational training, technical assistance, research contracts and the supply of equipment and materials. It also acted as an intermediary in supplying States which so requested with equipment and nuclear fuel, including certain special fissile materials for research. Its functions as supplier and intermediary might be broadened as national requirements increased. The Conference should consider the possibility of recommending that IAEA should undertake further activities in order to play a greater part in the application of nuclear energy to development, with due consideration for the needs of the developing countries. The application of nuclear energy for development could not possibly be increased without machinery for supplying nuclear materials, possibly through IAEA.

In connexion with agenda item 14 (b), the technical assistance at present granted by IAEA for the development of applications of nuclear
energy for peaceful uses should be adapted to include vocational training programmes and the supply of various materials. At present IAEA did not have sufficient resources to furnish adequate assistance. Its report showed that with its regular resources for 1968 it could satisfy only 30 per cent of country requests for assistance. The question of its resources should, therefore, be reviewed.

Within the United Nations, the concept of technical assistance had developed considerably, especially since the General Assembly had adopted resolution 2029 (XX) on the consolidation of the Special Fund and the Expanded Programme of Technical Assistance in a United Nations Development Programme. The consolidation not only had administrative and financial advantages but was also of great importance for the co-ordination and integration of technical assistance activities. Co-ordination between the activities of IAEA and those of United Nations bodies was essential. An attempt should be made to further the applications of nuclear energy to development by improving and adapting the existing machinery. The solution was not to set up an organization paralleling IAEA, but to expand the functions of IAEA and to improve its resources to enable it to meet additional needs. The regional bodies had an important part to play in that respect. In Europe, satisfactory collaboration and co-ordination had been achieved through the European Atomic Energy Community and the European Organization for Nuclear Research.

Collaboration in the peaceful uses of nuclear energy should be multilateral, as that would prevent discrimination and neutralize the factors which might, in certain circumstances, jeopardize such collaboration.

The meeting rose at 4.25 p.m.
SUMMARY RECORD OF THE FIFTH MEETING

held

on Wednesday, 11 September 1968, at 3.15 p.m.

Chairman: Mr. ESCHAUZER, Netherlands
Rapporteur: Mr. Alfonso SANTA CRUZ, Chile
In the absence of the Chairman, Mr. Eschauzier (Netherlands),
took the Chair.

PROGRAMMES FOR CO-OPERATION IN THE FIELD OF PEACEFUL USES OF NUCLEAR ENERGY (agenda item 14):

(a) ACCESS TO AND EXCHANGE OF EQUIPMENT, MATERIALS AND SCIENTIFIC AND TECHNOLOGICAL INFORMATION FOR THE PEACEFUL USE OF NUCLEAR ENERGY AMONG NON-NUCLEAR-WEAPON STATES AND NUCLEAR-WEAPON STATES (continued)

(b) ASSISTANCE AND CO-OPERATION IN DEVELOPMENT OF THE APPLICATION OF NUCLEAR ENERGY FOR PEACEFUL PURPOSES, IN THE TERRITORIES OF THE NON-NUCLEAR-WEAPON STATES, WITH DUE CONSIDERATION FOR THE NEEDS OF THE DEVELOPING AREAS OF THE WORLD (continued)

The CHAIRMAN announced that Mr. Eklund, Director-General of the International Atomic Energy Agency (IAEA) was participating in the deliberations of the Committee under rule 60 of the rules of procedure (A/CONF.35/1) and would be glad to answer any questions.

Mr. AKWEI (Ghana) said that the aim of the Conference should be to redress the imbalance and deficiencies in the Treaty on the Non-Proliferation of Nuclear Weapons which had been eloquently described during the resumed twenty-second session of the General Assembly of the United Nations. The Treaty could be considered only as a first step towards a universal regime of non-proliferation of nuclear weapons.

It was in the area of the peaceful uses of nuclear energy that the Conference, and in particular the nuclear-weapon Powers participating in it, could best contribute towards a more general acceptance of the Treaty. At the resumed twenty-second session of the General Assembly the views of the nuclear Powers had carried the day, although many non-nuclear countries had not been satisfied with certain provisions of the Treaty. The nuclear Powers should extend the peaceful uses of nuclear energy in return for the very considerable sacrifices accepted by countries which renounced the right to manufacture, acquire and use nuclear weapons.

The universal development of peaceful uses of nuclear energy implied taking into account the disparities in the level of nuclear science and technology among the non-nuclear-weapon countries. Those disparities must be mitigated so far as possible by international effort and cooperation, particularly for the benefit of the least developed of the developing countries.
Various factors impeded co-operation in the area of the peaceful uses of nuclear energy both among the non-nuclear-weapon countries and between them and the nuclear-weapon countries. The first factor was the disparity in the level of development and training; in Africa, Asia and Latin America the level of knowledge of nuclear science was generally low, but was much higher in Europe and elsewhere. The second factor was the disparity in the level of wealth and resources, which were much more abundant in Europe. The third was political alliances; it was obvious that in the absence of a soundly-based agreement to by-pass those political ties, the exchange of information and co-operation would be discriminatory and to the advantage of the European non-nuclear-weapon countries. The fourth was commercial and economic links; the European non-nuclear-weapon countries which were members of certain economic and financial groupings would consider it more advantageous to collaborate among themselves than with countries not belonging to those groupings, especially in the industrial application of nuclear energy.

That discrimination and those divisions among economic groupings were reflected in the international organization responsible for promoting the peaceful uses of atomic energy. Accordingly, unless there was a radical reform in the institutional system to make the peaceful use of nuclear energy feasible without any discrimination among the various areas of the world, and in particular against the least developed of the developing countries, there was a danger that the present divisions of the world would be perpetuated and that the aims of the Treaty on the Non-Proliferation of Nuclear Weapons would be frustrated. The need to ensure that the non-nuclear-weapon States should receive the advantages derived from the peaceful applications of nuclear explosions under international agreements and through an appropriate international body had therefore been generally recognized at the resumed twenty-second session of the General Assembly.

In that context consideration should be given to the question whether it was preferable to retain IAEA and trust it to carry out the programmes of co-operation or whether it would be better to set up an appropriate international body with better representation of the non-nuclear-weapon States.
The developing countries were not adequately represented in IAEA, especially on the Board of Governors. Of twenty-five seats on the Board ten permanent seats were allocated to countries considered to be technologically advanced within the eight geographical regions mentioned in the Statute. South Africa represented Africa and the Middle East. That allocation of seats had been made many years ago and had never been changed. But South Africa, in view of its present policy, was not in a position to perform the functions incumbent on it in accordance with the purposes of IAEA.

Further, two seats on the Board of Governors were held alternately by Belgium and Portugal as producers of source materials. The Ghanaian delegation had asked on several occasions at meetings of IAEA whether Belgium was in fact a producer of source materials, but had not received a satisfactory reply. Belgium had been considered a producer of source materials because it had controlled the Congo, but that was no longer the case. The twelve seats to be allocated in accordance with the principle of equitable geographical distribution did not suffice to establish a balance in the membership of the Board of Governors. In its present form, the Board was dominated by the western countries and the nuclear-weapon countries, supported by their allies. The Agency was not, therefore, representative of the various areas of the world, and the Ghanaian delegation accordingly supported the Mexican proposal for the establishment of a new international body.

The Agency had other drawbacks. Some of its members were signatories to the Treaty on the Non-Proliferation of Nuclear Weapons and others were not. It was hardly likely that IAEA, dominated as it was by the nuclear-weapon Powers and their allies, would not discriminate between those states which were signatories to the Treaty and those which were not when it came to furnishing assistance to non-nuclear-weapon States. The Ghanaian delegation was therefore convinced that an entirely new body should be set up which would protect the interests both of the non-nuclear-weapon countries which were signatories to the Treaty and of countries which were not signatories to the Treaty but had also renounced the right to manufacture, acquire and use nuclear weapons.

That body would have to translate the objectives set forth in the Treaty on the Non-Proliferation of Nuclear Weapons and in agenda item
14 (b) into reality. It would draw up its plans taking into consider-
ation the needs of each non-nuclear-weapon-State and the plans of the
United Nations regional economic commissions, in order to ensure effective
co-ordination in the general nuclear development of each region. The
establishment of the body, as proposed by the Mexican delegation, should
not present any major problem of financing.

The governing board of the new body should ensure broader represent-
atation of the non-nuclear-weapon States, but it should also duly represent
the nuclear Powers and work closely with IAEA for purely technical pur-
poses. The Agency system of safeguards should, in his delegation's view,
eventually become a system universally applied to all nuclear installa-
tions. IAEA would become the technical arm of the new body.

Regarding nuclear technical assistance, IAEA would carry on with its
existing programmes of technical assistance, which were mostly on a bi-
lateral ad hoc basis, while the new body would take general charge of
technical assistance activities and be responsible for planning such
assistance at the regional and international levels.

The capital needed for establishment of the new body would have to
be found by those who had the money and who had taken the initiative of
promoting the Treaty on the Non-Proliferation of Nuclear Weapons, which
called for major sacrifices by the non-nuclear-weapon Powers.

With regard to the IAEA system of safeguards, some had proposed that
the system should be modified as far as the peaceful uses of nuclear
energy in industry and commerce were concerned. His delegation consider-
ed that any such review should be carried out only by a body more re-
presentative than IAEA as now constituted — in other words, by the body
whose establishment had been proposed by Mexico and Italy and was support-
ed by Ghana.

Any attempt to bargain with the non-nuclear-weapon States, to per-
suade them to accede to the Treaty on the Non-Proliferation of Nuclear
Weapons because of the advantages they would derive in the peaceful uses
of nuclear energy would not only run counter to the purposes of the Treaty
but would infringe the fundamental right of every sovereign State to
benefit from the peaceful use of the atom. All that was necessary was
that non-nuclear-weapon States maintained their non-nuclear status by
whatever means they chose, provided that appropriate international super-
vision was guaranteed.
There were certain other factors which might impede co-operation in the peaceful uses of nuclear energy, unless they were dealt with early.

Article IV of the Treaty on the Non-Proliferation of Nuclear Weapons merely called on the nuclear-weapon Powers "in a position to do so" to "co-operate" in the development of the applications of nuclear energy for peaceful purposes, without imposing a binding obligation on those Powers to make available nuclear science and technology to non-nuclear-weapon States. The latter were thus left in a position of inferiority, since they remained too dependent on the good-will of the nuclear Powers.

In view of the various factors creating an imbalance between the nuclear- and the non-nuclear-weapon States, it was conceivable that some sort of subtle discrimination in the application of the provisions of Article IV might occur. If, however, the majority should support the conclusion of bilateral or co-operation agreements, his delegation would propose that those agreements should be laid before the international body which might be set up for the purpose of the programme of co-ordination and that a copy of each agreement should be deposited with the organization. It was to be hoped that in that way some standardization of international agreements for the exchange of technical information and co-operation in the peaceful uses of nuclear energy might be achieved.

His delegation was convinced that there was too little time at the Conference to do more than set forth general principles to be developed and spelt out subsequently. For that purpose, it would be wise to set up a standing committee which would also be empowered to examine in detail the draft text of the new international agreement establishing the international body proposed by the Mexican delegation (A/CONF.35/DOC.15).

In the opinion of the Ghanaian delegation, the statutes of the new international body should be based on the following main principles:

Membership might be open both to non-nuclear-weapon States parties to the Treaty on the Non-Proliferation of Nuclear Weapons, and to nuclear-weapon States which had renounced the right to manufacture, acquire, control or use nuclear weapons but were not necessarily parties to the Treaty.

The composition of the Governing Body should be such that the non-nuclear-weapon Powers would hold a majority.
The multilateral obligations incurred by States becoming members of the body should take precedence over those deriving from any bilateral agreements, which should in any case be brought within the purview of the international body.

The commitments undertaken by virtue of article IV of the Treaty on the Non-Proliferation of Nuclear Weapons should be translated into juridically binding obligations, particularly for the nuclear-weapon States, since the absence of such obligations would considerably weaken the credibility of the Treaty.

Mr. OGISO (Japan) commended IAEA for the valuable work it was doing in spite of the limited funds available to it. He emphasized that future assistance programmes should be based mainly on the long-term energy requirements of the developing countries.

An international flow of enriched uranium on commercial terms was vitally important for nuclear industry. It was a matter of great concern for non-nuclear-weapon States desirous of carrying out a large-scale nuclear power programme; his delegation had already given its views on that subject in plenary meeting. It also considered that right of access of non-nuclear-weapon States to technological information was a necessary compensation for renouncing the manufacture of nuclear weapons.

Technical information relating to peaceful uses of nuclear energy was now largely in the public domain and was exchanged bilaterally or multilaterally or through IAEA. That Agency regularly organized panels of experts and symposia which provided excellent channels for the exchange of information and the consideration of the various technical problems encountered; that activity should be continued and expanded.

While there was relatively easy access to that type of information, the situation was not the same in the case of technological information the exchange of which was limited in one way or another. That category included information in the commercial area which was available only at a price. Obviously, such information could not be exchanged in the same manner as the information which was in the public domain. His delegation considered that an international clearing-house should be established to determine and make known to interested countries the existence of technical information of that kind; the actual exchange could take place on a bilateral basis. The Agency should therefore be requested to see whether
it could assume that clearing-house role and, if so, how it would propose to carry out the function.

However, at least a part of such proprietary technical information would inevitably become known, because more people would be aware of its existence and also because of the expected increase in international safeguard activities. That might lead the owners of such information, if they had reason to suspect that the commercial value of their technique might be affected, to criticise those handling it. IAEA should therefore be asked to study means of avoiding this risk, including appropriate sanctions and the establishment of channels for presenting complaints in case of violation of commercial secrets.

He said that he would comment on the question of peaceful nuclear explosions, mainly from the technical information standpoint. His delegation's views on the subject of the explosions themselves would be given later in connection with sub-item (c) of agenda item 14. In his delegation's view, any international organization dealing with peaceful nuclear explosions should have four different functions. Its first task would be to inform qualified scientists and engineers of all countries concerning the technical and economic feasibility of nuclear technology; the various national health authorities, for example, would be very interested to know the extent of contamination of natural gas or oil resulting from underground explosions. The organization should also act as a clearing-house for technical information of a commercial nature, participate in bilateral or multi-lateral arrangements for actual detonation and, lastly, carry out necessary safeguard measures. Of course, where technical information involving national security considerations was being handled, extra precautions would be required and IAEA should consider that question also.

The third category of information was that considered secret for security reasons, in spite of its usefulness in connexion with peaceful application of nuclear energy. The State possessing such information obviously had the right to decide whether it should remain secret or not, but when a country or group of countries requested certain technical information of a nuclear State and the latter refused, then it was reasonable to expect that State to give a full explanation of how such information was connected with its national security. Furthermore, when
when the requesting party expressed willingness to accept additional measures of safeguard or restrictions in the application of the information, it would be reasonable to expect the nuclear State to show willingness to negotiate further. A system of international safeguards did exist and technical information should be available on commercial terms without fear that it would be put to military uses. Withholding of information for reasons of national security should be limited to the strict minimum and the exchange of information in the field of nuclear energy should be at least as free as in any other area of technology. The practical means of achieving that objective should be investigated at the international level, through IAEA, if that was possible within its existing framework.

In conclusion, he was convinced that IAEA, in view of the experience it had acquired in that field, was in the best position to undertake the preliminary study of the complex problems of access to equipment, materials and scientific and technological information for the peaceful uses of nuclear energy.

Mr. Campbell (Canada) said that he wished to address a number of questions to the Director General of IAEA. What was the total membership of the Agency? How many applications from countries desirous of becoming members had been refused? Up to the present, how many members had been elected to the Board of Governors? How many members had declared themselves unwilling to assume the functions of Governor, Board member? How many members had been admitted too recently to be considered for election to the Board? On the contrary how many older members had been prevented in one way or another from assuming the functions of Governor as they would have desired?

Mr. Eklund (Director General, International Atomic Energy Agency) said that he would reply first to the Japanese representative, who had inquired about IAEA's activities in the field of technical assistance.

At the 1966 General Conference, IAEA had been requested to prepare a detailed review of its activities in that field. That had been done in 1966-1967, and the review which had been published (GC (XI) 362) included much detailed information on past activities as well as future programmes in the field of technical assistance.
Of the total financial resources made available to IAEA from 1957 to 1967, i.e. approximately $100 million, $26 million had been obligated or earmarked for technical assistance. Eighty-two countries had benefited from that technical assistance. During the same period IAEA had provided the services of more than 1,000 experts, supplied equipment to the value of $4 million, awarded 3,300 fellowships and organized 73 technical training courses in which 440 lecturers and 1,200 trainees took part. Since the establishment of the programme for the provision of experts and equipment, the total requests received by IAEA under the programme had amounted to $20,500,000, but it had been able to provide only about one third of that amount.

In reply to the questions put by the Canadian representative, he said that the total membership of the Agency was at present ninety-nine. As far as he was aware, no application for membership had yet been turned down. So far, approximately sixty member countries had served on the Board of Governors. To his knowledge, no country had yet refused to serve on the Board. Nor did he believe that any member country had been considered too new to IAEA to serve on the Board. Furthermore, at the forthcoming General Conference, a very new member would probably be elected to the Board. As to the question whether older members had been prevented from serving on the Board, he would have to make enquiries and hoped to be able to give an answer at the next meeting.

The meeting rose at 4.20 p.m.
SUMMARY RECORD OF THE SIXTH MEETING

held
on Thursday, 12 September 1968, at 3.15 p.m.

Chairman: Mr. ESCHAUZIER  Netherlands
Rapporteur: Mr. Alfonso SANTA CRUZ  Chile
In the absence of the Chairman, Mr. Eschauzier (Netherlands), Vice-Chairman, took the Chair.

PROGRAMMES FOR CO-OPERATION IN THE FIELD OF PEACEFUL USES OF NUCLEAR ENERGY (agenda item 14)

(a) ACCESS TO AND EXCHANGE OF EQUIPMENT, MATERIALS AND SCIENTIFIC AND TECHNOLOGICAL INFORMATION FOR THE PEACEFUL USES OF NUCLEAR ENERGY AMONG NON-NUCLEAR-WEAPON STATES AND NUCLEAR-WEAPON STATES (continued)

(b) ASSISTANCE AND CO-OPERATION IN DEVELOPMENT OF THE APPLICATION OF NUCLEAR ENERGY FOR PEACEFUL PURPOSES, IN THE TERRITORIES OF THE NON-NUCLEAR-WEAPON STATES, WITH DUE CONSIDERATION FOR THE NEEDS OF THE DEVELOPING AREAS OF THE WORLD (continued)

Mr. BETTINI (Italy), continuing his statement at the 3rd meeting on sub-items 14 (a) and (b) of the agenda, recalled that the Italian Minister for Foreign Affairs had submitted to the Conference at the 5th plenary meeting a number of proposals the common purpose of which had been to ensure the development of nuclear activities for peaceful purposes for the advantage of all States, irrespective of their political affiliations or their stage of development.

The Minister had said that an effort should be made first of all to identify the fields in which measures were needed and in that connexion had set forth several objectives. Among those objectives two, in the opinion of the Italian delegation, called for priority: the first was to ensure free access for non-nuclear-weapon States to the supply of nuclear fuel and equipment as well as to nuclear technology for peaceful purposes and the second, to establish an appropriate international body to deal with matters relating to peaceful explosions.

He had already outlined his views on the second of those objectives at the 3rd meeting and would now confine his statement to the difficult problem of free access to nuclear fuel and equipment as well as to nuclear technology.

Every country which wished to develop peaceful applications of nuclear energy should have access to nuclear fuel without discrimination and at a reasonable cost. The production of nuclear fuel was completely in the hands of the nuclear-weapon Powers and, owing to the increased demand, its supply to the non-nuclear-weapon States was becoming more and more precarious. The first solution which came to
mind was the release by the nuclear-weapon Powers to non-nuclear-weapon States which needed them, of the hitherto well-guarded secret processes for producing enriched uranium, and that, of course, under the appropriate safeguards and on normal commercial terms.

Another partial and temporary solution would be to adopt the proposal made by the Italian Government in August 1967 according to which the nuclear-weapon Powers, as proof of their willingness to disarm, would provide the non-nuclear-weapon Powers, for application to peaceful uses, a limited amount of highly enriched fissile materials taken from their military stockpiles. His delegation was again putting forward that proposal, an expanded version of which was being circulated to the Conference as a working paper (A/CONF.35/C.2/3).

Implementation of that proposal would make it possible (a) to achieve genuine nuclear disarmament, even if only on a restricted scale, (b) to place fissionable material thus released at the disposal of non-nuclear countries for use for peaceful purposes, (c) to allocate part of the price paid for that material to the United Nations fund designed to promote the use of nuclear energy in the developing countries, (d) to avoid any increase in the financial burden of the nuclear Powers, since that material would be taken from existing military stockpiles already paid for.

Side by side with the question of access to nuclear fuel the need for access to equipment and technology had to be considered. That was a very delicate question because it involved research and techniques which were protected by trade or military secrecy. Nevertheless, a way should be found to place at the disposal of all, for peaceful purposes, the information and equipment the exchanges of which were strictly limited at present, as in the case of the enrichment of uranium, ship propulsion, the production of heavy water, space vehicles, and so on. Sharing of those techniques would facilitate the establishment of normal technical and commercial conditions in the world thereby preventing any widening in the technological gap which existed between nuclear and non-nuclear countries.

The Committee, the Conference itself and any international bodies called upon to continue the Conference's work should undertake to study that problem with the greatest care.

Another difficulty which prevented implementation of the Non-Proliferation Treaty with any real chances of success and the access of
all countries to the techniques for the peaceful uses of atomic energy on a uniform basis was the question of how to interpret some of the technical terms which were widely used in the context of the Non-Proliferation Treaty and in the Treaty itself. Every effort should be made in that respect to arrive at general agreement; unless that was done there was a danger that the Treaty might be misunderstood and its applications impaired. His delegation wished to make it clear that its purpose in putting forward that suggestion was not to amend or modify the Treaty itself, but rather to co-operate in its implementation.

Mr. BATISTA (Brazil) said that until recently research into and the development of nuclear energy had been directed almost entirely towards military uses. Nuclear technology for peaceful purposes and its applications had only been a by-product of weapons programmes. For some time, however, the picture of the atomic world had been changing, and the prospects for the peaceful use of nuclear energy were highly encouraging for the production of electricity, the use of radio-isotopes in medicine, industry and agriculture, the desalination of sea water and even the excavation of harbours and canals and the exploitation of underwater petroleum deposits.

Nevertheless, international co-operation in the peaceful uses of nuclear energy, whether bilateral or multilateral, had so far been very modest. The International Atomic Energy Agency, for example, over a ten-year period had not spent more that $10 million on technical assistance to non-nuclear-weapon States, an insignificant figure compared with the amounts spent by nuclear-weapon States on their own programmes. Some developed nuclear-weapon States had tried to remedy that state of affairs by setting up their own nuclear programmes themselves, at great cost, and associating themselves for that purpose with the research of organizations such as EURATOM and CERN, but they had had to face many difficulties because certain branches of nuclear technology were still classified. It was the non-nuclear-developing countries which naturally encountered the most serious difficulties, since they lacked the industrial and scientific base to go ahead on their own and, as a recent IAEA report has
observed, they were not even aware themselves of the far-reaching economic potentialities of nuclear energy.

The developing countries, however, had been among the first to denounce the catastrophic consequence of the proliferation of nuclear weapons and to take the initiative towards sanity by pushing through the United Nations General Assembly a resolution on the establishment of Africa as a nuclear-free zone and by concluding a Treaty for the Prohibition of Nuclear Weapons in Latin America.

There remained, however, a great deal to be done internationally with regard to security guarantees and nuclear disarmament. To ensure international peace and stability it was not enough not to allow weapons to nations which did not yet have them. The nations which had weapons should also be disarmed, and they would certainly demand guarantees if they decided to renounce nuclear weapons. But peace could not be founded solely on the lack of nuclear weapons and the non-proliferation of such weapons should not prevent the dissemination of nuclear energy for peaceful purposes, to the benefit of all. Furthermore, attempts to prohibit nuclear weapons should not be made a prerequisite for the initiation of international programmes for the civil uses of atomic energy. Undoubtedly there was a risk that, with intensified use, nuclear energy might be diverted to military purposes, but that risk should be removed by appropriate safeguards and should not further delay the access of the non-nuclear-weapon States to the benefits of nuclear energy.

The active participation of the nuclear-weapon countries was both essential and invaluable for co-operation for the peaceful use of nuclear energy. Co-operation might also be extremely useful between the developed non-nuclear countries and the developing non-nuclear countries and, to a great extent also, between the developing countries themselves, either bilaterally or multilaterally.

The major problems lay in ensuring the long-term financing of nuclear equipment, the training of scientific personnel and, of course, access to the source materials needed for the use of nuclear energy, especially enriched uranium and heavy water, without which no country could, at the present stage of nuclear technology, launch any effective programme of peaceful applications of nuclear energy. As the head of the Brazilian
delegation had told the 6th plenary meeting, the Conference must consider all those questions quite seriously if the way was to be opened to effective international co-operation in the peaceful uses of nuclear energy. Most of the items on the agenda required the collaboration of the nuclear-weapon countries, as they enjoyed a de facto monopoly in certain vital fields of nuclear technology. The current discussions could therefore only be of a preliminary nature, but they were essential for the expression of a common will to make the most intensive possible use of the peaceful applications of nuclear energy.

One of the ways open to the Conference was to strengthen the existing international machinery such as IAEA and to imbue other international bodies, especially the financial bodies with fresh energy, without prejudice to the conclusion of further bilateral arrangements.

Mr. EDELSTAM (Sweden) said that his delegation fully recognized the importance of the new obligations contained in articles IV and V of the Treaty on the Non-Proliferation of Nuclear Weapons. The Swedish delegation had taken an active part - both in the Eighteen-Nation Committee on Disarmament and in the First Committee of the United Nations General Assembly - in the discussions to improve the draft texts of those articles so that their formulation might best correspond to their purposes. Those new international obligations could act as a stimulus to the further expansion of the already considerable international exchange of information and co-operation in the field of the peaceful uses of nuclear energy.

On the present occasion, he would concentrate on the subject matter of article IV of the Treaty and of sub-items 14 (a) and (b) of the agenda, with special reference to the institutional aspects.

The International Atomic Energy Agency had been in existence for over 10 years; under its Statute, it had as its function and objective to "seek to accelerate and enlarge the contribution of atomic energy to peace, health and prosperity throughout the world." One of the documents submitted to the Conference (A/CONF.35/DOC.6) contained the historical background of the Agency, which, as its Director-General had pointed out at the 5th meeting of the Committee, now had 99 members, the vast majority of whom were represented at the Conference.
Even though the functions of the Agency, as set out in the Statute, had not been fully developed in practice in all their aspects, it was fair to say that IAEA had played, and was playing, a considerable rôle in furthering the peaceful applications of nuclear energy. In particular, it had been successful in the distribution of technological information through its scientific conferences and symposia and through its numerous publications.

The monopolistic tendencies in the supply of special fissionable materials had been mentioned by several speakers. One method of counteracting those tendencies would be further to strengthen the rôle originally intended for IAEA as a pool for the supply of such materials. In point of fact, the United States, the United Kingdom and the USSR had placed at the disposal of the Agency a considerable quantity of nuclear fuels.

One of the principal rôles of the Agency - ensuring that peaceful nuclear programmes were not used to further military purposes - would, of course, be vastly enlarged when the Treaty on the Non-Proliferation of Nuclear Weapons entered into force.

The opinion had been expressed that the Agency would not be able to fulfil alone the tasks lying ahead in the field of international co-operation for the utilization of nuclear energy for peaceful purposes, without going into the question of peaceful nuclear explosions, he wished to draw attention to the idea expressed by Mr. Sagane (A/CONF.35/DOC.5, p. 11) of creating a new organization, a sort of international clearing-house, whose task it would be "to see to it that the international flow of assistance is carried out according to the spirit of the Treaty on Non-Proliferation, and to take steps to ensure that it is". Likewise, the representative of Ghana, speaking at the Committee's 5th meeting, had criticized IAEA for reflecting discrimination against the developing countries, and, for that reason, found the Agency unsuited for the rôle of helping in the implementation of the provisions of articles IV and V of the Treaty. In the opinion of the Swedish delegation, however, all the functions suggested for a new organization by Mr. Sagane and the Ghanaian representative could be discharged just as effectively by IAEA.
The Italian representative (3rd meeting), too, had proposed the establishment of a new body, a United Nations Special Committee for the peaceful uses of nuclear energy, with limited membership, which could have its headquarters at Geneva (A/CONF.35/C.2/1). The terms of reference of that Committee would obviously be wider than ensuring the mere follow-up of recommendations of the Conference and the preparations for further sessions of the Conference; however, the Swedish delegation had similar objections to that project, namely, that it would lead to a duplication of effort and a waste of scarce financial and manpower resources.

His delegation did not believe that it was necessary, either at the present or in the foreseeable future, to increase the number of international organs concerned with nuclear energy; instead, the existing organ should, if necessary, be strengthened. It might be useful if the Conference adopted a resolution or recommendation, for submission to the General Assembly, requesting that a study be made concerning possible changes in the form and composition of IAEA, in order to adapt it to the requirements created by the Treaty on the Non-Proliferation of Nuclear Weapons. Such a study might lead to the conclusion that some changes were desirable in the agency's Statute, for instance, with regard to the composition of its Board of Governors. The study, when completed, should be reported to the General Assembly. It would then be for the General Conference of the IAEA to express its views on the proposed changes, in accordance with article XVIII of the Statute.

Mr. Ramisch (Federal Republic of Germany) commenting on sub-item 14 (b) of the agenda, said that arrangements for the non-proliferation of nuclear weapons permitted the freeing of industrial and technical resources and skills which could thus be devoted to peaceful uses of nuclear energy in accordance with Article 26 of the United Nations Charter. The diversion of the world's human and economic resources for nuclear weapons should be kept to a minimum.

It might therefore be useful to follow the suggestion made by the Brazilian representative at the sixth plenary meeting, whereby the Conference should request the Secretary-General of the United Nations to designate a group of non-governmental experts to examine the question of the impact of nuclear technology in all its forms on the economic and
scientific advancement of developing countries.

It had always been his Government's policy to contribute to progress in that field, whether through international organizations or by bilateral agreements based on the principle of equality. For the past two years, the Federal Republic of Germany had ranked second among the countries contributing to the IAEA General Fund, which was financed by voluntary contributions. That Fund was used for technical assistance granted in the form of fellowships (about 50 per cent), expert services (30 per cent) and the supply of nuclear equipment and materials (20 per cent). Moreover, his country had on several occasions supported IAEA action in the developing countries by supplying instruments and equipment on non-commercial terms.

The Federal Republic of Germany had already concluded or was about to conclude nuclear co-operation agreements with various countries throughout the world. It was prepared to intensify its collaboration by an increased exchange of information and technical know-how in the form of fellowships and missions by experts, both through the appropriate international organizations and on a bilateral basis.

Mr. KANDEMIR (Turkey) said that the questions before the Committee were of the greatest importance. Co-operation with regard to the peaceful uses of nuclear energy implied closer co-operation between the countries which had nuclear weapons and those which had not. Since the latter group included States that were highly advanced as regards the application of nuclear energy, it was also possible to establish useful and constructive co-operation between the non-nuclear-weapon States. In that connexion, his delegation was pleased to note the generous offer, made by the head of the delegation of the Federal Republic of Germany in his statement during the general debate, to share with the non-nuclear-weapon States his own country's experience in that field.

His delegation noted with satisfaction that the clause "with due consideration for the needs of the developing areas of the world" had been included in article IV of the Treaty on the Non-Proliferation of Nuclear Weapons in connexion with the development of the applications of nuclear energy for peaceful purposes. The question of the developing countries' needs and of finding ways to satisfy those needs as regards
the peaceful uses of nuclear energy should be one of the Committee's main concerns. Above all, those countries needed scientific and research workers.

At the present stage, his delegation could only make a few preliminary comments regarding the Italian representative's proposal. While approving the idea contained in the proposal to establish effective co-operation in the peaceful use of nuclear energy, it shared some of the misgivings expressed by other speakers concerning the creation of a new international body. An alternative solution might be to strengthen the means and potential of IAEA as other representatives had already suggested.

Mr. USMANI (Pakistan), commenting on agenda item 14 (b), said that the co-operation referred to should be taken to mean assistance given by countries with advanced nuclear technology to those less advanced in that field. Three questions arose: what kind of assistance should the developed countries give developing countries to promote the peaceful uses of nuclear energy? through what channels should that assistance flow - bilaterally or through some international agency? and which non-nuclear-weapon States should be entitled to receive that assistance?

The answer to the first question was that the assistance required by the non-nuclear-weapon States was either technical or financial, or both. The technical assistance could consist of fellowships, equipment, the services of experts, research contracts and the supply of materials, including enriched uranium fuel for reactors. Naturally the composition of that technical assistance would depend on the level of development of the country requiring it. Financial assistance could take the form of either loans or grants. As most nuclear projects needed large amounts of capital, loans for them would have to be made on very favourable terms, i.e., at low interest rates for long terms. Unfortunately loans and grants were rarely made for such purposes and were in any case quite inadequate. His delegation therefore believed that the Conference should strongly recommend the establishment of a special nuclear fund for assisting peaceful nuclear projects which experts considered economically and technically feasible. The financing and administration of such a fund could be discussed. Non-nuclear-weapon States as well as the nuclear Powers should contribute to the fund on the basis of some agreed formula. The possible solution was for each country to contribute to
the fund a fixed percentage of its expenditure on nuclear duels. According to projections, by 1980 about 200,000 MWe of nuclear power would be generated in the nuclear-weapon States and about 80,000 MWe in non-nuclear-weapon States. The fund could therefore receive equitably-assessed contributions from those two groups of countries. It could give grants of interest-free loans for economically viable and technically feasible nuclear projects in the developed countries. The establishment of such a fund would do much, not only to strengthen the application of article IV of the Treaty on Non-Proliferation, but also to promote the peaceful uses of nuclear energy in all the developing countries.

With regard to the second question, his delegation believed that there would have to be bilateral assistance as well as assistance channeled through an international agency. He pointed out that IAEA had contributed assistance very fairly and efficiently among member States, most of which were in developing areas. It had nevertheless encountered difficulties in that field. It required a certain minimum of staff to administer its technical assistance programme and thus incurred expenditure. To distribute about $2 million a year, for instance, it had to spend $500,000 on staff; nearly 25 per cent of the funds were therefore spent before distribution. However, the same staff could administer a much larger amount, up to $10 million, if the special nuclear fund provided it. He asked the Director-General of IAEA whether or not the Agency could administer the funds which would thus be made available for distribution in the form of loans for feasible nuclear projects in non-nuclear-weapon States. If the Agency could not do that, he would like to know what other arrangements the Director-General could suggest. The Agency's Board of Governors might have to consider that question if the Conference decided to establish a special nuclear fund.

He recalled that, at the Committee's fourth meeting, he had proposed that access to nuclear technology, equipment and materials should be limited to those non-nuclear-weapon States which were (1) parties to the Treaty on the Non-Proliferation of Nuclear Weapons, or (b) which subscribed to the Treaty in its present form, or (3) which had otherwise renounced the production, acquisition and use of nuclear weapons
under another instrument with the mandatory force of law, or (4) which volunteered to place all their nuclear facilities under the IAEA safeguard system or (5) which entered into a regional or bilateral system of inspections of nuclear power reactors and other principal nuclear facilities on a reciprocal basis and adopted safeguards similar to those of the IAEA system. The purpose of the Conference was not only to strengthen the Treaty on the Non-Proliferation of Nuclear Weapons, but also to uphold the principle of non-proliferation in general. The Treaty was only one instrument for the prevention of such proliferation. Some countries might, for quite valid reasons, not wish to sign or ratify the Treaty on Non-Proliferation, but might belong to one of the other four categories he had mentioned.

Nevertheless, countries which did not belong to any of the five categories should not have access to the equipment, materials and scientific and technical information, or the assistance and co-operation mentioned in agenda under sub-items (a) and (b). The nuclear-weapon States should define their attitude in that regard, since they and the advanced non-nuclear-weapon States were in a position to help to ensure adherence to the principle of non-proliferation of nuclear weapons. They should assist only those non-nuclear-weapon States which belonged to one of the five categories he had mentioned. Any departure from that principle through arbitrary bilateral assistance would raise serious doubts about the good faith of the nuclear Powers among the non-nuclear-weapon States, which were anxious to prevent the emergence of a sixth nuclear-weapon State.

Mr. MORRIS (Australia) recalled that, at the fifth meeting, the representative of Ghana had expressed doubts about the ability of IAEA to meet the requirements of articles IV and V of the Non-Proliferation Treaty in view of the responsibilities entrusted to it under article III of the same Treaty. He asked the Director-General of IAEA to indicate the division of effort within the Agency as among the broad division of the Agency's activities both at present and as it was expected to be one year after the Treaty's entry into force.

Mr. SANCHES DEL RIO (Spain) asked what assistance IAEA had extended to the developing countries with a view to evaluating the practical and economic feasibility of installing nuclear reactors in those countries.
Mr. EKLUND (Director General, International Atomic Energy Agency) replied first to a comment made by the Pakistani representative, who had expressed the view that IAEA could furnish a considerably larger volume of technical assistance without entailing a substantial increase in its staff costs. That conclusion was perfectly exact. The implementation of the Agency's technical assistance programme was, in fact, being hampered not by a lack of staff but by a lack of funds. In 1968, for instance, fifty-one projects which were technically sound and had already been evaluated were still awaiting execution for lack of funds. If it was decided to set up a special nuclear fund, as the Pakistani representative had proposed, the Agency would be able to intensify its technical assistance activities considerably without additional expenditure.

The Pakistani representative had also asked whether IAEA could undertake to furnish technical assistance under the special nuclear fund. That question should be given further study, but it seemed that such assistance was possible under article XI B of the Agency's Statute.

As for the question put by the Australian representative, he said that there were at present thirty-four officials on the staff of the Agency's Department of Safeguard and Inspection, but that that figure was not truly representative: the Department was in fact assisted by the Legal Division, the Division of Reactors and the Division of Research and Laboratories. It was difficult to foresee exactly what the future trend of the Agency's staff requirements would be. The Treaty on the Non-Proliferation of Nuclear Weapons would enter into force when forty States had ratified it, and the Agency's staff requirements would depend, to a large extent, on the States which had ratified the Treaty and on the date of such ratification. Furthermore, the Agency noted two trends which might reduce manpower requirements for safeguards in the future. Firstly, the development of mechanized techniques for safeguarding was anticipated; secondly, with the growth of nuclear power, national systems of safeguard should be developed. If these systems were harmonized with the Agency's system, use could be made of them in applying safeguards. In so far as it was possible to make forecasts, the Department of Safeguards would perhaps require
about 200 officials in 1973 or 1974. It would also be necessary, no

doubt, to strengthen the other divisions, but to a lesser degree. The

staff of the Legal Division, for instance, would have to be increased,

owing to the negotiations in which the Agency was to participate, and

that of the Division of Research and Laboratories as well. In any

event, he was convinced that IAEA would be able to carry out the tasks

which had been entrusted to it under the terms of articles IV and V of

the Treaty, despite the additional work resulting from the provisions

of article III.

Lastly, replying to the question asked by the Spanish representa-
tive, he said that the assistance furnished by the Agency in the field

of nuclear energy took very different forms. As a general rule, the

Agency always began by evaluating the general power situation in the

country concerned, and then it determined what possibilities were

offered for nuclear energy. In 1965-1966, for example, the Agency had

carried out in the Philippines a study financed by the Special Fund,

which had enabled it to determine that country's future power require-
ments and to see whether the establishment of nuclear plants there

would be worthwhile. That study had thus far produced no concrete

results, but the simple fact that it had been carried out had made it

possible to lower considerably the price of crude petroleum in the

country; the value of such studies was therefore indisputable. The

assistance furnished by the Agency could also relate to many other

fields such as safety or the supply of fuels. It should be noted, in

that connexion, that the Agency would be able to collaborate closely

with the United Nations Industrial Development Organization, whose

headquarters was also at Vienna, in all questions concerning power.

In conclusion, he stressed the importance of the question of

financing. Thus far, the International Bank for Reconstruction and

Development had financed only one nuclear project, but the Agency con-

tinued to maintain close contacts with the Bank and it was to be hoped

that in the future the Bank would finance an increased number of pro-

jects in the developing countries.

Mr. HERRERA-ROA (Dominican Republic) asked whether IAEA's

Statute authorized the Agency to supply technical assistance in the

field of the peaceful uses of nuclear explosions and in what form such

assistance could be made available.
Mr. EKLUND (Director General, International Atomic Energy Agency) replied that the provisions of article XI of the Agency's Statute appeared to authorize that type of activity. It should be pointed out, however, that, although great hopes were placed in the peaceful uses of nuclear explosions, those explosions were still far from being perfected. In any event, the Agency was closely following the evolution of that question, in particular by attending, upon the invitation of the United States, certain nuclear tests. At the request of the Panamanian Government, the Agency had studied the safety aspects of nuclear explosions for peaceful purposes. In 1969, the Agency intended to hold a meeting of experts to study new developments in the field of nuclear explosions for peaceful purposes.

The meeting rose at 4.45 p.m.
SUMMARY RECORD OF THE SEVENTH MEETING
held
on Friday, 13 September 1968 at 3.20 p.m.

Chairman: Mr. NABWERA Kenya
Rapporteur: Mr. Alfonso SANTA CRUZ Chile
PROGRAMMES FOR CO-OPERATION IN THE FIELD OF PEACEFUL USES OF NUCLEAR ENERGY (agenda item 14)

(a) ACCESS TO AND EXCHANGE OF EQUIPMENT, MATERIALS AND SCIENTIFIC AND TECHNOCATIONAL INFORMATION FOR THE PEACEFUL USES OF NUCLEAR ENERGY AMONG NON-NUCLEAR-WEAPON STATES AND NUCLEAR-WEAPON STATES (A/CONF.35/C.2/L.1 and L.2) (continued)

(b) ASSISTANCE AND CO-OPERATION IN DEVELOPMENT OF THE APPLICATION OF NUCLEAR ENERGY FOR PEACEFUL PURPOSES, IN THE TERRITORIES OF THE NON-NUCLEAR-WEAPON STATES, WITH DUE CONSIDERATION FOR THE NEEDS OF THE DEVELOPING AREAS OF THE WORLD (continued)

Mr. EL GUEBEILY (United Arab Republic) stated his delegation's views on sub-items (a) and (b) of agenda item 14 concerning access to the various fields of peaceful uses of nuclear energy and to the necessary assistance and co-operation in that respect.

Nuclear technology and its peaceful applications had made tremendous progress in various directions. At the same time, non-nuclear-weapon States found themselves at various degrees of development in the matter; few of them having reached an advanced stage. Hence the needs, too, were variable, depending upon the conditions in each country and region. Some non-nuclear-weapon countries which fifteen years earlier had barely embarked on the process of development were now known as advanced countries in the nuclear field, while many countries which were at present developing would in their turn become advanced, in the present sense of the term, in ten to fifteen years. Thus all non-nuclear-weapon States should easily be able to find a common ground of understanding. It was equally important that there should be understanding with the nuclear-weapon States, since they were the Powers which possessed the technical and economic capacity to meet the needs. He therefore hoped that the nuclear-weapon countries would make known their views on the question as soon as possible.

The right of access to the peaceful uses of nuclear energy and to assistance in that field was unquestionable. It had always been so, as was confirmed by the letter and the spirit of Articles IV and V of the Treaty on the Non-Proliferation of Nuclear Weapons. The major problem, however, still lay in the obstacles hindering free access to the peaceful uses of nuclear energy and to the necessary assistance,
a major obstacle was the fear of proliferation of nuclear weapons and the need for strict international control. That obstacle was being removed for the eighty-odd countries which had signed the Treaty on the Non-Proliferation of Nuclear Weapons. He sincerely hoped that the non-nuclear-weapon States which had not yet signed the Treaty would do so in the near future.

In the context of the Treaty, the problems of free access to the peaceful uses of nuclear energy and assistance in such uses would relate mainly to the means of implementing the Treaty. In that connexion he wished to draw attention to several points which were important, particularly for the developing countries.

Firstly, access to nuclear science and technology and assistance for that purpose should be achieved by as many countries as possible and should correspond to national requirements. The International Atomic Energy Agency (IAEA) should therefore be invited to increase its assistance to the developing countries in preparing their long-term nuclear programmes and feasibility studies of the projects they wished to carry out. The Agency should also assist them in the various stages of their development and of the implementation of their projects.

Secondly, access to nuclear power and assistance in that matter should be free from any discrimination, particularly political discrimination. There, too, as in other areas, the rôle of international co-operation vis-à-vis that of bilateral arrangements should be increased. That was a task which should perhaps be entrusted to an international organization. In the opinion of the United Arab Republic, IAEA should assume responsibility for it. The Agency could be empowered to ensure that the advanced countries, particularly the nuclear-weapon States, complied with their obligations concerning the development of the peaceful uses of nuclear energy in non-nuclear-weapon States.

Thirdly, the financing of any nuclear project gave rise to serious problems, particularly for developing countries, because such projects required huge investments, a large part of which had to be paid in foreign currency. He would welcome a solution on the lines of that proposed by the Pakistani representative at the 6th meeting.
Consideration might be given to an international arrangement, perhaps a sort of special fund, established in co-operation with the International Bank for Reconstruction and Development (IBRD), for the development of nuclear energy for peaceful purposes; projects would be financed only if, having been examined in accordance with an appropriate international procedure, they were deemed economically and technically viable.

Referring to IAEA activities in general, he associated himself with those who appreciated the Agency's activities and considered that its role should be developed and its organization adapted to the new tasks awaiting it. They had rightly drawn attention to the need for a substantial increase in the contributions made to IAEA by the rich countries, and particularly by the nuclear-weapon States.

Co-operation in the peaceful uses of nuclear energy raised yet another fundamental question: that of the international division of labour in that field. The developing countries should not be turned into a nuclear market comparable to the old semi-colonial markets, in the sense that those countries would supply nuclear raw materials to the advanced States, from which they would acquire finished industrial products; that would merely widen the gap between advanced and developing countries and place the latter in a state of nuclear dependency. On the contrary, the developing countries should be helped, either individually or in groups, to explore their nuclear raw materials, to mine and work them and to build nuclear industries in their own territory, so that they could make their contribution to developments in that field. For economic, technical and political reasons, that was an important objective.

With regard to the question of safeguards, some delegations had asked that safeguards should apply to highly enriched special fissionable material only. A system of safeguards, the scope of which was defined, was laid down in article III of the Treaty on the Non-Proliferation of Nuclear Weapons, which had been signed by the majority of countries represented at the Conference. Those provisions were the result of a compromise achieved with great difficulty. It was only when the system had been tested, once the Treaty was in force, that it would be possible
to contemplate reviewing and, if necessary, revising it, but it would be useless to discuss the matter at the present Conference.

There was, however, one conclusion relating to safeguards which could be reached forthwith: namely, that IAEA's responsibilities in the matter would be abruptly increased once the Treaty entered into force. Given the experience of the advanced countries, particularly the nuclear-weapon States, in that particularly technical field, it was to be hoped that those countries would pass on their techniques and procedures to IAEA, thus helping the Agency to act as efficiently as possible in the matter.

Mr. CAMPBELL (Canada) observed that, both at the present Conference and at the resumed twenty-second session of the General Assembly, a number of delegations had expressed concern that the renunciation in article II of the Treaty on the Non-Proliferation of Nuclear Weapons, together with the provisions of articles III, IV and V, would keep the non-nuclear-weapon States in a condition of permanent scientific dependence on the nuclear-weapon States and would widen the technological gap between those two groups of States. As the Canadian representative had said at the 1573rd meeting of the First Committee of the General Assembly, Canada did not find that its progress in the field of nuclear energy had been impeded by lack of information regarding nuclear weapons or lack of information which might be derived from testing nuclear weapons. It had been able to design, manufacture and market nuclear reactors for the generation of electric power which were internationally competitive with those designed by the nuclear-weapon Powers. Consequently, it found it difficult to understand the fear that renunciation of the manufacture of nuclear weapons might have adverse effects on the ability to develop in the science, technology and utilization of nuclear energy.

Concern had also been expressed that the application of safeguards under article III of the Treaty on the Non-Proliferation of Nuclear Weapons would place the non-nuclear weapon States at a competitive disadvantage in relation to the nuclear-weapon States. As the Canadian delegation had stated at the 378th meeting of the Eighteen-Nation Committee on Disarmament (para. 34), while Canada would have preferred an equitable article, which would apply safeguards to the nuclear
activities of all Parties to the Treaty, it considered the formulation of article III to be an acceptable compromise, especially since the United States of America and the United Kingdom had, in December 1967, publicly undertaken to accept safeguards on their own non-military nuclear activities. The intent of article III was to apply safeguards in accordance with the Statute of IAEA and the Agency's safeguards system, which had attracted broad international support and had stood the test of time and experience.

With respect to agenda item 14 (a), he pointed out that mere access to nuclear technology, materials and equipment did not suffice to enable developing countries rapidly to become advanced nuclear States. The development of national nuclear programmes entailed heavy expenditures; the priority assigned to those programmes must therefore be realistically assessed by the developing countries.

Some delegations had contended that the nuclear-weapon States had an advantage because they had built uranium enrichment and plutonium re-processing plants as part of their military programmes. It was true that military programmes had stimulated the construction of such plants, but, whether their costs were charged to the defence budget or to the annual budget of some other ministry, in the final analysis they were paid out of the country's resources. The Treaty on the Non-Proliferation of Nuclear Weapons did not appear to the Canadian delegation to prevent non-nuclear-weapon States or groups of States from building such plants, and at a lower cost than if their construction was part of a nuclear-weapon programme.

The non-nuclear-weapon States should study the terms of the Treaty on the Non-Proliferation of Nuclear Weapons carefully in order realistically to assess the demands which the nuclear-weapon States could be expected to meet. Judging from the statements made at the present Conference, some countries appeared to expect advantages which went beyond a reasonable compensation for renouncing the manufacture of nuclear weapons.

With regard to the machinery for promoting the co-operation called for in article IV of the Treaty, the Canadian delegation approved of the statements made by the representatives of Australia and Venezuela, who
had drawn attention to the competence, experience and comprehensive programme of IAEA. It would revert to the question of the future responsibilities of IAEA when the Committee took up agenda item 14 (c) and (d).

In signing the Treaty on the Non-Proliferation of Nuclear Weapons, Canada had undertaken under article IV to facilitate the exchange of equipment, materials and information and to contribute to the further development of the applications of nuclear energy "especially in the territories of non-nuclear-weapon States Party to the Treaty, with due consideration for the needs of the developing areas of the world". That undertaking was in conformity with the policy which Canada had always followed in that field. First through the Colombo plan and later through other aid programmes, Canada had assisted in the construction of nuclear reactors and nuclear power stations in various countries. It had provided cobalt bomb therapy units and other radio-isotope equipment in developing countries. It had also provided both academic and practical training in Canadian institutions.

Canada had no separate programme for assistance in the nuclear field; such assistance was provided within the context of programmes administered by the External Aid Office and was mainly for projects for which Canada was especially competent and competitive and which were of real importance for the development of the recipient countries. Nuclear assistance was playing an increasingly important role in Canadian aid programmes. Canada would continue to consider each project on its own merits and in the context of its external aid programmes and of the commitments it had assumed under the Treaty on the Non-Proliferation of Nuclear Weapons.

During the past two years Canada had submitted semi-annual reports to IAEA on all the nuclear materials it had provided; that was entirely in conformity with the measures proposed in agenda item 13(b). Under article III, paragraph 2, of the Treaty, Canada must impose safeguards on all nuclear materials and equipment provided to non-nuclear-weapon States for peaceful purposes. Consequently, if the developing
countries acceded to the Treaty, Canada would more easily be able to provide them with nuclear assistance. Furthermore, wide accession to the Treaty would tend to create an atmosphere of international co-operation which would stimulate the development of nuclear energy for peaceful purposes. The assistance provided by Canada was in keeping with the spirit and purpose of article IV of the Treaty.

Mr. DARSÅ (Indonesia) said that the discussion had shown that there was a common concern that the establishment of a universal non-proliferation regime should not deprive the non-nuclear-weapon States of the benefits, present and potential, derived from the peaceful application of nuclear energy. The less advanced non-nuclear-weapon countries had expressed a common support for the principle of access to nuclear technology for peaceful purposes, since they had no industrial basis on which to develop a nuclear programme of their own.

The right of access to nuclear technology should encompass access to scientific establishments in advanced nuclear countries, so that the less advanced countries could acquire a well-trained corps of nuclear scientists, engineers and technicians. Moreover, there should be no obstacles to the regular and equitable supply of nuclear materials and equipment to the non-nuclear-weapon countries, provided that they subjected their nuclear programmes to one of the five categories of safeguard.

The Indonesian delegation supported the principle of non-discrimination in access to nuclear technology and in the supply of nuclear materials and technical assistance to all the non-nuclear-weapon States which had adhered to the non-proliferation regime, whether or not they were signatories of the Treaty on the Non-Proliferation of Nuclear Weapons, and which were willing to subject their nuclear programme to one of the five categories of safeguard. That principle should find expression in the final Act or declaration which would emerge from the Conference.

With regard to the institutional framework within which access to nuclear technology and assistance should be provided, his delegation had doubts about the advisability of establishing a new body, since IAEA already performed similar functions. In addition, the
establishment of a new body would entail additional financial expenditure which many non-nuclear-weapon countries could ill afford. They realized, however, that it might be necessary to reorganize IAEA and to adapt its administrative structure to the situation resulting from the Treaty on the Non-Proliferation of Nuclear Weapons.

The Indonesian delegation appreciated the fact that a large proportion of the Agency's resources had been made available to developing countries or for work of special interest to them. It considered that, with the limited funds at its disposal, the Agency had proved its ability to respond in a satisfactory manner to the needs of all member States. It was the lack of adequate funds which had prevented IAEA from meeting the increasing demands for technical assistance. The problem, therefore, was how to obtain additional funds for the Agency rather than how to overcome the structural deficiencies. Several proposals had been put forward for the establishment of a special nuclear fund. The Italian delegation had made a proposal for a limited transfer from the military stocks of nuclear-weapon States to non-nuclear-weapon States of fissionable materials for peaceful uses, at prices below their market value. Part of the price paid for that material would be allocated to a United Nations fund for financing the practical application of nuclear energy to promote the economic progress of the developing countries. The Indonesian delegation supported that proposal in principle but had an open mind with regard to the institutional framework in which that fund should be incorporated. It would like to hear the views of the other members of the Committee, especially the nuclear-weapon States, on the proposal before taking a final decision on the matter.

Mr. NATURAL (Switzerland) noted that article IV of the Treaty on the Non-Proliferation of Nuclear Weapons provided valid assurances in respect of access to materials and technology for the peaceful development of nuclear energy. His delegation felt, however, that those assurances were somewhat vague and needed to be more clearly defined. That was the object of the draft resolution (A/CONF.35/C.2/L.1) that his delegation was submitting to the Committee.

Sub-paragraph (a) of operative paragraph 2 concerned freedom of access to technology. While access to some of the known technological branches had been greatly facilitated, other branches were still subject
to military secrecy, in particular those relating to uranium enrichment, which was becoming more and more important in the scientific and economic fields. Such secrecy was no doubt justified in the absence of a control system preventing the use of fissionable materials for military purposes, but the existence of such a system would make such restrictions pointless. Article III of the Treaty provided for a strict control system, the efficacy of which had not been called in question. That being so, to prevent the non-nuclear-weapon States from developing a process of uranium enrichment would constitute unjust discrimination, which might well compromise their participation in advanced nuclear research and their industrial development. Collective security safeguards should be accompanied by complete liberalization of scientific and technical knowledge. His delegation therefore thought that the nuclear Powers should undertake to share all their technical knowledge with any nation which agreed to subject its nuclear activities to a recognized system of control. The usual reservations in respect of industrial property would naturally remain valid.

Sub-paragraph (b) of operative paragraph 2 concerned access to fissionable materials. The words "guaranteed access" meant that the nuclear-weapon States would give the necessary undertakings to supply available fissionable materials on a non-discriminating basis.

The object of sub-paragraph (c) of paragraph 2 was to ensure complete non-discrimination, not only between non-nuclear-weapon States but also between the two groups of Powers, whether nuclear-weapon or non-nuclear-weapon States.

Mr. Battista (Brazil) said that the debate had served to identify the basic issues on which the Committee had to focus its attention. The Committee would have to draw up recommendations on such matters as access to nuclear technology, access to fissionable materials and access to adequate financing of nuclear equipment.

In the view of his delegation, an essentially pragmatic approach should be adopted to those questions. Participants in the Conference should concentrate not on negotiating the details — indeed they were not in a position to do so — but on trying to reach a basic agreement on specific objectives and on the most appropriate forum for the discussion of how to attain those objectives. To that end, the Brazilian
delegation was considering the submission of one or more draft resolutions, under which the Conference would (a) request the United Nations General Assembly to consider the establishment, within the framework of the United Nations Development Programme (UNDP) of a nuclear technology research and development programme, to be carried out with the co-operation of IAEA; (b) request the Board of Governors of IBRD to consider the establishment of a programme for the use of nuclear energy in economic development projects, for the benefit of the developing countries; (c) request the General Conference of IAEA to consider the establishment of a special fissionable materials fund for the benefit of non-nuclear-weapon States.

In respect of the suggestion made by the head of the Brazilian delegation regarding the appointment of a special expert group to study the impact of nuclear technology on the economic and scientific development of the developing countries, he read out a draft resolution (A/CONF.35/C.2/L.2) requesting the Secretary-General to appoint such a group of experts, and stipulating that the report of the group should be published and transmitted to the Governments of Member States and subsequently given wide distribution in the various countries so as to acquaint public opinion with its contents.

Mr. RAZAFINDATANDRA (Madagascar) asked the Director General of IAEA to give some information about the advantages which the developing countries could derive, directly or indirectly, from the development of nuclear reactors, for example in the field of the utilization of radio-isotopes, and about the assistance which the Agency could furnish in that field.

Mr. EKLUND (Director General, International Atomic Energy Agency) explained that IAEA provided its assistance through various divisions,

In the Life Sciences Division, the Agency carried out research in the utilization of radiation in diagnosis; among other things, it studied the effects of radiation on the human metabolism and on living cells, as also the use of radiation for the treatment of diseases, for example with the cobalt bomb. In that field, the Agency co-operated closely with the World Health Organization.
The Division on Research and Laboratories was concerned with the use of radiation for industrial purposes, for example to produce chemical reactions or to harden wood. That Division also studied, in collaboration with the World Meteorological Organization, the use of radio-isotopes in hydrological studies, for example to determine the volume of underground water reservoirs and to find out how those reservoirs were filled.

Lastly, 90 per cent of the activities of the Joint FAO/IAEA Atomic Energy Division in food and agriculture were of benefit to the developing countries. For example, that Division was studying the absorption of fertilizing products in rice and maize, the use of radiation to bring about mutations and the production of species which would be more resistant to parasites and diseases. It was also concerned with the eradication of insects by the sterile male technique. Other studies concerned the preservation of food with the co-operation of the United States Atomic Energy Commission; the Agency had carried out a project in Iceland to determine whether it was possible to prolong the storage period for fish by a treatment with gamma rays. Lastly, the Agency had been asked to serve as an executive body for the purpose of establishing, in collaboration with UNDP, an institute in Yugoslavia for the use of radiations in agriculture. That institute was already in operation. A similar project was to be carried out in India in collaboration with the Indian Government and UNDP.

Mr. LENDVAL (Hungary) said that he could not entirely endorse the ideas behind the wording of the operative part of the Swiss draft resolution. Paragraph 2 (a), for example, seemed to refer to military secrets alone, although there were many technical processes which constituted industrial or trade secrets. With respect to paragraphs 2 (b) and (c), which moreover were rather vague, his delegation thought that discriminatory restrictions on access to nuclear technology could only be abolished by the entry into force of the provisions of the Treaty on the Non-Proliferation of Nuclear Weapons.

In addition, his delegation thought that the Conference had neither the power nor the competence to impose resolutions of that kind on nuclear-weapon States; such resolutions would amount to nothing if those States did not accept them—
Mr. LARRAIN (Chile) asked the Director General of IAEA whether the Agency was studying the possibility of intensifying the programme for the exchange of technical information.

Mr. EKULUND (Director General, International Atomic Energy Agency) pointed out that the exchange of information was a part of the functions devolving on IAEA under the terms of article III of its Statute.

Every year the Agency organized about a dozen conferences, which were attended by 200 to 400 participants, and about thirty groups of experts composed of ten to fifteen persons. The exchanges of information were extremely useful both to the participants and to the Agency, which could then circulate the information which was gathered to member States. Moreover, the Agency carried out a large publications programme amounting to approximately 30,000 pages a year.

He then gave some particulars about what might be called "the information explosion", which was characterized by the constant multiplication of scientific publications and which raised important problems with respect to access to the existing information. The Agency was planning to establish an international nuclear information service to which all member States would furnish the information that had appeared in their countries. That information would then be placed in reserve so that it could be tapped by electronic processes and then supplied to States asking for it in the form of magnetic tapes or micro-films. That project was still only in its early stages, but the Agency's Board of Governors would have to decide in 1970 whether it could be continued on a large scale.

ORGANIZATION OF WORK

Mr. NAVA CARRILLO (Venezuela) suggested that in order to speed up the Committee's work, it would be desirable to consider fixing a deadline for the introduction of draft resolutions.

The Venezuelan delegation had already circulated to the other Latin American countries a preliminary draft of a resolution recommending greater activity and the preparation of programmes for more rapid progress in the application of nuclear energy to peaceful uses, and noting the
desirability of increasing multilateral assistance and cooperation to that end and also the need for information about the available means of attaining it.

The meeting rose at 5 p.m.
SUMMARY RECORD OF THE EIGHTH MEETING

held
on Monday, 16 September 1968, at 3:15 p.m.

Chairman: Mr. ESCHAUZIER Netherlands
later: Mr. NABWERA Kenya
Rapporteur: Mr. Alfonso SANTA CRUZ Chile
In the absence of the Chairman, Mr. Eschauzier (Netherlands), Vice-Chairman, took the Chair.

PROGRAMMES FOR CO-OPERATION IN THE FIELD OF PEACEFUL USES OF NUCLEAR ENERGY (agenda item 14):

(a) ACCESS TO AND EXCHANGE OF EQUIPMENT, MATERIALS AND SCIENTIFIC AND TECHNOLOGICAL INFORMATION FOR THE PEACEFUL USES OF NUCLEAR ENERGY AMONG NON-NUCLEAR-WEAPON STATES AND NUCLEAR-WEAPON STATES (A/CONF.35/C.2/L.1 and L.2) (continued)

(b) ASSISTANCE AND CO-OPERATION IN DEVELOPMENT OF THE APPLICATION OF NUCLEAR ENERGY FOR PEACEFUL PURPOSES, IN THE TERRITORIES OF THE NON-NUCLEAR-WEAPON STATES, WITH DUE CONSIDERATION FOR THE NEEDS OF THE DEVELOPING AREAS OF THE WORLD (continued)

Mr. SANNUT (Malta) said that the Conference should make it possible to achieve progress in the peaceful uses of nuclear energy in such fields as industry, medicine, the generation of electric power and the desalinization of water, and to accelerate the economic development of countries which, owing to the vicissitudes of their history or a lack of natural resources, were in an extremely unfavourable position.

Article IV of the Treaty on the Non-Proliferation of Nuclear Weapons affirmed the right of all the Parties to develop research, production and use of nuclear energy for peaceful purposes, and provided that the Parties to the Treaty in a position to do so should co-operate in contributing to the further development of the applications of nuclear energy for peaceful purposes, with due consideration for the needs of the developing areas of the world. It was gratifying that those provisions, and the provisions of Article V had been included in the Treaty. Nevertheless, they were clearly only a general declaration of intent; they did not spell out the measures to be taken to attain those goals. The Treaty provisions did not appear to take sufficient account of the special needs of the developing countries which, in the majority of cases, were entirely dependent on external assistance in formulating plans, acquiring equipment, and implementing programmes for the development of nuclear energy for peaceful purposes. Due account must be taken of the needs of the developing countries if the objectives set forth in the Treaty were to be attained.

Two groups of non-nuclear-weapon States were clearly distinguished: on the one hand, the civilian nuclear Powers and, on the other, those
countries which did not have nuclear facilities and were not likely to have them in the near future. His delegation appreciated the concern of the civilian nuclear Powers regarding any restrictions which might prevent them from utilizing their nuclear energy resources to the full. Unless free access to fissile material and technological information was ensured, the gap between the nuclear States and the civilian nuclear Powers was bound to widen. It was quite understandable that Governments were reluctant to accept any binding provision which would appear to divide the world permanently into technologically rich and technologically poor countries. That problem was of immediate concern to the developing countries, which had every interest in the widest possible dissemination of nuclear technology. His delegation also understood the preoccupation of the civilian nuclear Powers with regard to the question of nuclear explosions for peaceful purposes. Those Powers did not wish to be condemned to sole dependence on the unilateral will of the nuclear-weapon States.

His delegation had warmly welcomed the statement made by the Minister for Foreign Affairs of the Federal Republic of Germany in which the latter referred to his country's wish to maintain and develop close co-operation with all countries in the field of the peaceful uses of nuclear energy. It was to be hoped that that attitude would be shared by other countries.

The majority of the developing countries were unable, because of lack of funds, to benefit from the peaceful uses of nuclear energy; they had to depend largely on the industrially advanced countries, particularly the nuclear-weapon States, for the acquisition of the necessary technology and equipment. There were, of course, facilities for training personnel, but unless the necessary conditions were created in the developing countries for utilizing the skills required, those countries would not benefit at all from such facilities and there would, moreover, be a danger of their trained personnel emigrating to the developed countries. In addition, the often prohibitive cost of nuclear reactors prevented developing countries from obtaining the benefits of nuclear technology.

Accordingly, an attempt should be made to formulate a long-term plan for promoting programmes of assistance in the application of
nuclear energy in developing countries. All countries, in particular the nuclear-weapon States, should give a specific undertaking, in accordance with the provisions of the Treaty, to contribute to a voluntary fund for that purpose, possibly administered by the International Atomic Energy Agency (IAEA). The activities financed by the voluntary fund would be in addition to the Agency's regular programme and would comprise technical assistance, the provision of experts, the training of personnel and the provision of raw fissile material in accordance with an equitable system of priorities. In that connexion, many delegations had recognized the need for a substantial increase in the availability of funds.

In conclusion, he said that it would be desirable to appoint a working group to harmonize the different and very constructive proposals which had been made.

Mr. DJERDJA (Yugoslavia) observed that the problems of development had become so acute that they affected international peace and security as seriously as did the armaments race. Moreover, there was a danger that the use of nuclear techniques in the production processes of the developed countries might widen still further the gap between them and the less-favoured countries. The time had come, therefore, to make a close study of the problems raised by the peaceful uses of nuclear energy, with particular attention to the needs and possibilities of the developing countries. It was hard to believe that the problems of transfer of nuclear techniques to the developing countries could be disregarded just when the objectives and policies of the United Nations Second Development Decade were being formulated. The non-nuclear-weapon countries, which were being asked to renounce the acquisition and manufacture of such weapons, could justly demand measures which would enable them to benefit from the advantages derived from the peaceful uses of nuclear energy.

The Conference should therefore outline an international programme for that purpose. There appeared to be agreement on the general objective but there were differences of opinion on the best way to achieve it; that was a problem which the Conference must solve.
One fundamental difficulty, however, hindered the formulation of such a programme. Technical and economic problems and lack of personnel were not the only obstacles to a rapid development of nuclear science; political considerations had limited such activities to certain parts of the world, and the existing blocs and military pacts deprived the overwhelming majority of mankind of the benefits of nuclear energy. That was why many delegations had given a certain priority to political questions, such as guarantees of security and sovereignty and the assurance that a start would be made towards nuclear and general disarmament. In any case the Conference should try to prevent all discrimination and allow access to equipment and technical information so as to make economic development possible for all.

The development and manufacture of nuclear equipment obviously presupposed the existence of highly-developed industrial and technological installations and trained specialists, and only the developed countries could manufacture that equipment on a large scale. It seemed possible, however, that less developed countries could participate in the production of nuclear equipment. Industrial establishments for the production of nuclear equipment could be constructed in less-developed areas; that would be economically justified because of the lower labour and transport costs in those areas. Moreover, the developing countries could produce nuclear equipment on a small scale, which was often necessary in nuclear technology and was uneconomical in the developed countries. It would thus be possible to proceed directly from the laboratory stage in a developed country to the production stage in a developing country. The same was true of the application of radio-isotopes in industry, though the introduction of new techniques in obsolete production processes was not always successful. Nevertheless, all international organizations concerned with technical assistance and the planning of economic development in the less-developed areas should be asked to study that question.

The problem of nuclear fuels also deserved attention. Very few countries had uranium deposits, and only the nuclear-weapon States had uranium enrichment plants. It would not be economically practical
for the non-nuclear-weapon States to invest large amounts in the
construction of uranium enrichment plants, whereas the nuclear Powers
could produce a quantity of nuclear fuels which already exceeded
world needs. There was enough nuclear fuel for all the reactors in
the world; but the resources were not equitably distributed and
possibilities of exercising pressure and discrimination were open.
Before starting a nuclear programme, a country would want to be sure
that it could obtain fuel; bilateral arrangements were of course not
excluded; but most countries preferred for many reasons to receive
guarantees from international organizations. It was therefore
necessary to ensure free access to raw, special and other nuclear
materials under a suitable system of international guarantees, and
for that purpose to establish a sort of international bank for nuclear
fuels and other nuclear materials.

The question of technological and scientific information involved
a distinct paradox. Although a great mass of information was
published throughout the world every year, an engineer or research
worker in a developing country could work for months on a problem
which had already been solved in a developed country, only because he
did not know that the necessary information existed. It was therefore
necessary to organize an adequate information system. Moreover, most
scientific information was obtained in developed countries, which
often kept it to themselves for non-scientific reasons. It was
therefore also necessary that the nuclear Powers should undertake, in
the context of the Treaty on the Non-Proliferation of Nuclear Weapons,
to communicate all scientific and technological information relevant
to the peaceful uses of nuclear energy.

Some delegations had said that the exchange of equipment, materials
and scientific information for the peaceful uses of nuclear energy
could be a bilateral and reciprocal exchange. In fact it was hard to
see how there could be a genuine exchange between a country possessing
the latest techniques and a country possessing nothing. That method
would not only involve risks of discrimination but might also benefit
only a few industrially-developed countries and leave most of the world
aside. Exchange of scientific and technological information must be
organized on a world-wide scale.
A specific programme was indispensable for any co-operation or assistance of that kind. It should include several possibilities. First, the developed countries could internationalize some of their research institutes, meaning that they should not only accept research workers from developing countries but should also undertake research on particular problems of interest to less-developed countries or areas. Moreover, joint research institutes could be set up with the participation of all the interested countries in a particular region. As part of the development programme of a given country, technical and economic studies should also be made to determine its power needs, to choose the most appropriate nuclear plants, and to consider how those could be integrated with the existing power-production and transmission systems. Efforts should also be made to use locally-available personnel, industrial facilities and raw materials to the full.

The suggestions made during the debate called for more thorough consideration. The complex question of the peaceful uses of nuclear energy should be included in the agenda of the next session of the General Assembly, so that a conference on the subject might be convened later. Such a conference would of course require very comprehensive preparation and, since the subject was inseparable from economic and technical development, would also require the participation of all international organizations dealing with technical assistance, development, planning and finance during the Second Development Decade. It would also have to consider institutional questions.

His delegation was convinced that the interest of the non-nuclear countries themselves demanded that the nuclear Powers should continue to develop the science and technique of applying nuclear energy to peaceful purposes. It should not be forgotten, however, that one of the essential tasks was to ensure, without any discrimination, the development of the non-nuclear countries and in particular of the less developed of them, through the efficient use of nuclear energy for peaceful purposes. Thus technical assistance and co-operation on an equal footing were just as important as political measures and security. Only free access to equipment, materials and information could guarantee success in the peaceful use of nuclear energy and thus contribute to progress and to peace.
Nuclear explosions for peaceful purposes could also be used for military purposes, and not all forms of nuclear tests for military purposes had yet been banned, any more than had the use of nuclear weapons. All tests of nuclear weapons and their use should be prohibited, and nuclear explosions for peaceful purposes should be authorized only under effective international control and subject, without any discrimination, to equal conditions for nuclear and non-nuclear Powers.

Mr. Nabwera (Kenya), Chairman, took the Chair.

Mr. ALHOLM (Finland) pointed to the definite relationship between the non-proliferation of nuclear weapons and the peaceful applications of nuclear energy, for the same materials had been used for both purposes in the initial stages of atomic technology. The United Nations Conference held at Geneva in 1955 had revealed secrets until then closely guarded. The International Atomic Energy Agency in Vienna had been given major tasks, including that of maintaining security. However, despite several revisions and extensions of the Agency's safeguards system made in order to comply with its obligations and keep abreast of technical development, the application of the system was at present rather limited. Most activities subject to the safeguards system, especially exchange of equipment, were based on previous bilateral arrangements. In present-day nuclear technology reactors of the main types used enriched uranium; yet enrichment techniques were a monopoly of the nuclear Powers. The non-nuclear-weapon States therefore depended on the nuclear Powers for their supply of nuclear fuels.

For those historical reasons, all problems bound up with exchange of equipment, materials, and scientific and technological information were still covered by treaty, and exchange of information was subject to certain restrictions. Yet it was difficult to say to what extent that system of treaties handicapped the free exchange of information; for most of the barriers actually related to the sale of patent rights and to commercial operations in general.
The representatives of his country had on several occasions devoted attention to the problems bound up with restrictions on supplies of nuclear equipment and machinery. Under Finnish legislation on atomic energy, besides certain safety regulations affecting nuclear reactors and other facilities involving a risk of radiation, the handling and use of fissionable material were subject to control.

The Finnish Government had recently entered into negotiations for the conclusion of bilateral agreements on the exchange of equipment and machinery and on their use for peaceful purposes only. Provisions of that type were also an essential part of the non-proliferation treaty. If non-nuclear-weapon States submitted all their nuclear activities to an international safeguards system, it might well be possible to waive control of the supply of equipment, for the risks of abuse of equipment were very small indeed.

The entry into force of the treaty on the non-proliferation of nuclear weapons would open the way to the creation of a kind of free trade area for peaceful nuclear activities, so that most of the existing barriers could be abolished and the safeguards system lightened. Moreover, if nuclear fuels came to be supplied on a large scale and the present bilateral agreements were replaced by an international system, that area would also offer significant economic advantages.

The Finnish delegation hoped that the treaty on the non-proliferation of nuclear weapons would enter into force speedily and be implemented in full, and believed that it would open wider prospects for the peaceful use of nuclear energy and contribute to the abolition of barriers to that use. In regard to the Treaty's implementation, the Finnish Government considered the IAEA to be the authority competent under article V to carry out the tasks laid down in articles III and IV. The Agency ought to prepare a report on peaceful uses and safeguards in the context of the treaty.

Mr. MUSIALOWICZ (Poland) pointed out that atomic fission now produced, and atomic fusion would in future produce, great quantities of power. The question was whether that power would be used for the benefit or the annihilation of mankind. The renunciation of the production and acquisition of nuclear weapons prescribed in the treaty on the non-proliferation of nuclear weapons was an important step towards the proper use of nuclear energy.
The non-proliferation treaty contained certain provisions which established a balance between the obligations and the rights of non-nuclear-weapon States. Thus it stipulated that the nuclear-weapon States should assist the non-nuclear-weapon States and co-operate in the development of nuclear energy for peaceful purposes. That aid should be increased and should take in particular the following forms: training and exchange of information (granting of fellowships, organization of seminars, experts' services and exchange of publications); supply of the equipment necessary for development of the peaceful uses of nuclear energy; supply of nuclear fuels at reasonable prices; development of reactor systems and building of new nuclear power stations; and organization of common research, especially in plasma physics, nuclear fusion and water desalting. That co-operation should be based on equality of rights for all countries, and assistance should be given first to the countries most in need of it.

Another very important problem was the establishment of adequate institutional structures. At present, nuclear assistance and co-operation were exercised within IAEA and regional international organizations, and through bilateral agreements. During the debate several delegations had suggested the establishment of new agencies to implement the provisions of the Treaty. The Polish delegation considered that the existing institutions were entirely adequate to fulfil the tasks laid down in the Treaty and that their activities should be widened. The organization most competent to develop international multilateral co-operation and assistance in the peaceful uses of nuclear energy was IAEA. In 1964 the Agency had contributed to the conclusion of the agreement on reactor physics, which had been signed by it and by countries belonging to different political systems, namely Norway, Poland and Yugoslavia. The co-operation prescribed in that agreement continued to develop to the benefit of all the parties. Joint research was carried out at the Institute of Atomic Energy in Norway, the Boris Kidrič Institute in Yugoslavia, and the Institute of Nuclear Research in Poland.

The Agency had also helped to unify the regulations and standards governing the peaceful uses of nuclear energy. For instance, because of its work, regulations for the transport of radioactive materials had
been drawn up and were recognized throughout the world. Poland had taken an active part in that work. The Agency had also drafted basic safety standards for protection against radiations.

The Agency's activities did not, of course, preclude other forms of multilateral or bilateral co-operation. For example, Poland had concluded bilateral agreements for that purpose with thirteen countries and was co-operating with eight other countries, either through IAEA or directly with the competent institutes. It was a member of the United Institute of Nuclear Research at Dubna, and had observer status in CERN at Geneva. It was also developing its activities in the Commission for the Peaceful Uses of Nuclear Energy of the Council for Mutual Economic Aid.

He hoped that the Agency would continue to develop its activities in order to fulfil completely the tasks set by the treaty on the non-proliferation of nuclear weapons.

Mr. CHIPIMO (Zambia) said that the treaty on the non-proliferation of nuclear weapons, so hastily adopted by the General Assembly, had not the universal support which could make it an effective instrument of peace, especially as two nuclear Powers had not signed it.

The Conference's participants were non-nuclear-weapon States, but not necessarily States which, having no nuclear weapons, had renounced the acquisition solely under the non-proliferation treaty. Zambia was at present unwilling to support the treaty, not because it opposed non-proliferation of nuclear weapons and other weapons of mass destruction, but because in its present form it was merely the expression of a wish and therefore not a genuine step towards general and complete disarmament. It was also based on the incorrect assumption that only countries which had not yet developed nuclear weapons were likely to use them for aggressive purposes as soon as they acquired them; whereas the major nuclear Powers would always be able to refrain from using those deadly weapons. The non-nuclear-weapon States were therefore being asked to renounce completely their sovereign right to develop nuclear explosives for peace or for war, while the nuclear Powers could continue to do so. His delegation did not believe that the provisions of the treaty offered sufficient security against nuclear attack to justify complete abandonment by the non-nuclear-weapon States of all efforts to develop nuclear
technology. States not party to the non-proliferation treaty were further handicapped because some activities of IAEA would be subjected to the treaty by its article III - practically a unilateral amendment of the Agency's Statute. Indeed it seemed that, in order to benefit from the Agency's activities, countries must now sign and ratify the non-proliferation treaty. He would like to hear the Agency's views on that point.

In access to equipment, materials and scientific and technological information the threat to peace came not from nuclear know-how but from its use. In any case, the spread of nuclear technology could be delayed but not stopped. The only valid justification for an international treaty such as the non-proliferation treaty would be its efficacy in preventing nations from deliberately using for non-peaceful purposes the nuclear technology they would inevitably acquire. An international body such as IAEA was therefore needed to control and supervise the nuclear activities of all States, whether they possessed nuclear weapons or not. The nuclear-weapon States should undertake not to use nuclear energy for non-peaceful purposes. Only on that condition could the non-nuclear-weapon States accept the restrictions contained, for example, in articles II and III of the treaty.

In short, two points should be borne in mind. States would always try to develop nuclear technology, either through bilateral agreements with more advanced countries or in co-operation with an international organization such as IAEA. Secondly, unless the nuclear-weapon States adopted a fair and liberal attitude, which alone could inspire confidence, the obligations and restrictions imposed by the treaty would merely encourage States not party to it to form a club for acquiring and applying nuclear technology.

He hoped that countries signing bilateral or multilateral agreements would be guided by a desire to improve the lot of mankind, and that the rich countries would not deny the developing countries assistance with nuclear energy on the pretext that they would use nuclear facilities for military purposes. Wars always sprang from need and humiliation. It was the duty of the rich countries to conclude bilateral and multilateral
agreements whereby the developing countries could benefit from the vast potential offered by nuclear technology. Indeed, nuclear science had made such progress that the fruits of that transfer would ultimately benefit the donor countries themselves.

Mr. NATURAL (Switzerland) introduced the draft resolution submitted by Switzerland (A/CONF.35/C.2/L.1). Its aim, he said, was to give form to a very general demand of the non-nuclear-weapon States that the privileges of the nuclear countries should be limited to military matters and not spill over into civil matters (scientific, economic, industrial or commercial). It was important that techniques and equipment should be accessible to all Powers submitting to a recognized system of control. Obviously, however, the only techniques and equipment concerned were those that were of prime importance for economic development.

The Swiss delegation considered that the nuclear Powers should enter into specific commitments to liberalize access to peaceful nuclear techniques. It would be intolerable if in the future nearly all nations came to depend on a few super-Powers holding a factual monopoly. That liberalization, which was rather difficult to formulate, could perhaps consist merely in the establishment of a list and timetable indicating whether, when and how the super-Powers would give access to information concerning, for example, the technology of highly-enriched fuel and cooling systems for breeder reactors, uranium enrichment by gaseous diffusion and centrifuging, or the operation of isotope generators. That information would not have to be divulged free of charge: the beneficiaries could pay, either directly or through the special funds discussed during the Conference. Although those were among the most advanced techniques, they were of interest not only to the most industrialized Powers. On the contrary, those developing countries which had not yet established a nuclear industry should have direct access, when they embarked on that road, to the latest scientific developments and not be condemned to start afresh on part of the process already covered by the super-Powers.

The Swiss proposal aimed, not at abolishing military secrecy, but merely at ceasing to prolong the effects of secrecy when they no longer affected other nuclear Powers. All the nuclear countries knew how to
enrich uranium, and the two largest of them possessed an unimaginable capacity for destruction. In the circumstances it was difficult to see what they would risk by facilitating non-nuclear countries' research with slightly-enriched uranium, which could not be used for military purposes and misuse of which would be prevented by article III of the Treaty.

The Swiss draft resolution did not jeopardize industrial or commercial secrecy. The patent and licence system provided the necessary protection for intellectual and industrial property.

Admittedly the last sub-paragraph of the draft, concerning non-discrimination between nuclear and non-nuclear States, could be worded more clearly by requiring application of the most-favoured-nation clause to access to nuclear techniques and equipment, so that the privileges of the nuclear club should be limited to military and not extend into civil matters. The purpose of that sub-paragraph was to obviate a danger which, though not yet apparent, could take shape during the twenty-five years of the treaty's duration: the formation of a small group of Powers sharing between them the hunting rights over the most advanced nuclear science.

The question whether the draft resolution could become effective, seeing that its implementation depended on the consent of the great Powers, applied to nearly all the Conference's work. The Conference's recommendations would be meaningful only if finally accepted by those holding the keys to nuclear science and technology.

Mr. STEINER (United Republic of Tanzania) stressed that the Conference assembled not only those countries which had signed the non-proliferation treaty but all non-nuclear-weapon States. Tanzania, like many other countries, subscribed to the principle of non-proliferation of nuclear weapons, but did not consider that the non-proliferation treaty was the right instrument with which to implement that principle. The treaty contained quite unacceptable limitations on the use of nuclear energy for peaceful purposes. The Tanzanian delegation would like to see the principle of co-operation between nuclear-weapon and non-nuclear-weapon States stated in concrete terms.

The peaceful use of nuclear energy had a major part to play in the process of development. That was why the Tanzanian delegation
supported the proposal made at the 6th plenary meeting by the delegate of Uganda for the establishment of a nuclear reactor in eastern Africa.

If the countries which were advanced in the science of nuclear technology were sincere in their desire to help the less-advanced countries and were prepared to provide them with nuclear materials and information, they should do so through an appropriate international organization. That institution could be IAEA if its many shortcomings could be remedied quickly. The Tanzanian delegation was opposed to the proliferation of international organizations, and considered it better to adapt existing organizations which had gained a certain amount of experience than to set up new organizations and thereby incur additional expense.

The Tanzanian delegation supported in part the proposals made by the Italian delegation, especially paras. 1, 2 and 3(b) of the operative part of the draft recommendation (A/CONF.35/C.2/1, Annex), and paragraph 2(c) of the working paper (A/CONF.35/C.2/3).

Mr. OTERO NAVASCUES (Spain) observed that the military use of nuclear energy had conferred on the nuclear-weapons countries a huge source of power which not only gave them a good start in the use of nuclear energy for peaceful purposes but would also give them, when nuclear energy became the most widely-used energy in the world, control over its sources. To ensure a fair distribution of rights and obligations between nuclear-weapons and non-nuclear weapon countries, the nuclear Powers must place at the disposal of those countries which either had not been able or had not wished to make use of nuclear energy for military purposes that technology which was so vital for their future.

The meeting rose at 4.50 p.m.
SUMMARY RECORD OF THE NINTH MEETING

held
on Tuesday, 17 September 1968, at 3.10 p.m.

Chairman: Mr. ESCHAUZIER Netherlands
later: Mr. NABWERA Kenya
Rapporteur: Mr. Alfonso SANTA CRUZ Chile
In the absence of the Chairman, Mr. Eschauzier (Netherlands), Vice-Chairman, took the Chair.

PROGRAMMES FOR CO-OPERATION IN THE FIELD OF PEACEFUL USES OF NUCLEAR ENERGY (agenda item 14):

(a) ACCESS TO AND EXCHANGE OF EQUIPMENT, MATERIALS AND SCIENTIFIC AND TECHNOCORLICAL INFORMATION FOR THE PEACEFUL USES OF NUCLEAR ENERGY AMONG NON-NUCLEAR-WEAPON STATES AND NUCLEAR-WEAPON STATES (A/CONF.35/C.2/L.1); (continued)

(b) ASSISTANCE AND CO-OPERATION IN DEVELOPMENT OF THE APPLICATION OF NUCLEAR ENERGY FOR PEACEFUL PURPOSES, IN THE TERRITORIES OF THE NON-NUCLEAR-WEAPON STATES, WITH DUE CONSIDERATION FOR THE NEEDS OF THE DEVELOPING AREAS OF THE WORLD (continued)

(c) THE QUESTION OF NUCLEAR EXPLOSIONS FOR PEACEFUL PURPOSES

(d) BENEFITS FROM PEACEFUL APPLICATIONS OF NUCLEAR EXPLOSIONS TO NON-NUCLEAR-WEAPON STATES WHICH HAVE RENOUNCED THE PRODUCTION, ACQUISITION AND USE OF NUCLEAR WEAPONS PURSUANT TO SPECIAL INTERNATIONAL AGREEMENT OR AGREEMENTS THROUGH AN APPROPRIATE INTERNATIONAL BODY OR THROUGH BILATERAL ARRANGEMENTS

Mr. HOLMES (Ireland) said that his delegation was pleased with the remarkable documentary material which the Secretariat, the participants and the International Atomic Energy Agency (IAEA) had provided for the Conference. It welcomed the concrete proposals concerning programmes for co-operation in the peaceful uses of nuclear energy.

The starting-point of the Conference’s work was the treaty on the non-proliferation of nuclear weapons, for it was the first instrument explicitly committing the signatory nuclear Powers to place at the disposal of the non-nuclear countries the fruits of their technological experience in the peaceful uses of nuclear energy. It thereby gave all the non-nuclear States parties to it a right which they had not previously enjoyed and of which they should take the fullest advantage. That aspect of the treaty was among those of the greatest immediate importance for all the non-nuclear countries.

Although most of the countries represented at the Conference had signed the treaty, Ireland was the only signatory which had already deposited its instrument of ratification. It was still impossible to foresee when the treaty would enter into force; and that uncertainty clouded the prospects for implementation of satisfactory programmes for
the peaceful use of nuclear energy. The Irish delegation therefore called on those States which had not yet signed the treaty on the non-proliferation of nuclear weapons to do so, and on those which had already signed it, in particular the three depositary States, to hasten their ratification procedures so that it might come into force as soon as possible. It believed that the entry of the treaty into force was indispensable to the success of any effort to achieve a fair balance between the nuclear and the non-nuclear countries, both in the peaceful uses of nuclear energy and on security questions. It suggested that the Conference should proclaim that principle in its Conclusions and Final Act.

The Irish delegation was evaluating in the context of article IV of the non-proliferation treaty the proposals made on agenda item 14 (a) and (b), and in the context of its article V those made on agenda item 14 (c) and (d). Some delegations had expressed the fear lest the benefits of the peaceful applications of nuclear energy might not be made available to all States equitably. The Irish delegation agreed that article IV of the treaty afforded no absolute guarantee that they would, and that the wording of paragraph 2, for example the restrictive clause "Parties to the Treaty in a position to do so shall also co-operate ---", might serve as an excuse for discrimination. None the less, it believed that the benefits already available from both bilateral and multilateral sources greatly exceeded the capacity of the non-nuclear countries to absorb them. Examination of the means of improving technical and financial arrangements was thus of the greatest importance to most of the non-nuclear countries.

In the non-proliferation treaty the principle of balanced obligations also applied to peaceful nuclear explosions. The right, conferred by article V of the treaty, to share in the benefits of the peaceful application of nuclear explosions was the balancing factor provided for the undertaking neither to transfer nor to receive nuclear weapons or other nuclear explosive devices set down in articles I and II. So long as there existed no reliable method of differentiating between nuclear weapons and other nuclear explosive devices, security considerations required that both categories of devices should be covered by the treaty,
With respect to the best means of making available the benefits mentioned in article V of the treaty, the Irish delegation realized that the IAEA in its present form might not entirely satisfy all the requirements for the "appropriate international body" mentioned in the article, which particularly called for "adequate representation of non-nuclear-weapon States" in that body. However, in view of the scale and scope of IAEA activities the Irish delegation hoped that the problem could be solved without establishing a new body.

The very complex issue before the Conference was rendered even more difficult by the uncertainty about the treaty's entry into force. The Conference should therefore proceed with great caution. To transmit the record of its debates for consideration at the twenty-third session of the General Assembly, and to draft appropriate recommendations to the Eighteen-Nation Committee on Disarmament, IAEA and other interested bodies, might be a useful way of starting the next stage in its work.

Mr. HASPAT (Afghanistan) stressed the value of the peaceful uses of nuclear energy, particularly to the developing countries, and the great hopes which they had placed in that field of co-operation.

With regard to article V of the treaty on the non-proliferation of nuclear weapons, Afghanistan shared the view that, until science succeeded in distinguishing peaceful nuclear explosions from nuclear-weapon tests, the present text should be accepted.

On agenda item 14 (c) and (d), his delegation considered that, while nuclear-weapon tests were incompatible with the objectives of the non-proliferation treaty, nuclear explosions for peaceful purposes might benefit economic development. It would therefore be desirable to institute a constructive system of control under the strict supervision of an international organization. His delegation shared the concern expressed by many non-nuclear-weapon States at the ineffectiveness of the present safeguard systems, and believed that the establishment of a universal system of safeguards would make article III of the treaty easier to accept.

Concerning the proposal for the establishment of an international body one of whose main functions would be to ensure access for non-nuclear-weapon States to the benefits derived from any peaceful
application of nuclear explosions on a non-discriminatory basis, at the lowest possible cost and without any charge for research and development, his delegation would prefer that function to be exercised by an existing organization, for example IAEA. If the financial resources of IAEA were increased and its structure modified, it could discharge that task effectively. It played a leading part in the peaceful uses of nuclear energy, and might therefore with advantage also concern itself with nuclear explosions for peaceful purposes, if given time to make the necessary preparations for that new task.

His delegation supported the proposal for the establishment of an international pool through which the less-developed countries could finance their nuclear projects. Because of the great importance which the peaceful applications of nuclear explosions were bound to acquire, particularly for the developing countries, the fate of the treaty on the non-proliferation of nuclear weapons would depend not only on the adoption of specific disarmament measures by the nuclear-weapon Powers, but also on the speed with which they fulfilled their obligation under the treaty to contribute to the further development of the peaceful uses of nuclear energy.

The Afghan delegation had studied with particular interest the paper by Mr. Ginsbury (A/CONF.35/DOC.2) on peaceful nuclear explosions for the benefit of non-nuclear States. It had concluded that, if the Conference succeeded in drawing constructive guidelines for closer co-operation between nuclear and non-nuclear countries in the peaceful applications of nuclear energy, and if the nuclear countries fulfilled their obligations under the treaty, the prosperity of mankind would be increased, especially in the least-developed regions of the world which were ravaged by hunger and disease.

Mr. REBREANU (Romania) said that the treaty on the non-proliferation of nuclear weapons placed its parties under certain obligations relating to the use of nuclear energy for peaceful purposes. The Conference's task was to devise ways and means of achieving the objectives of the treaty.

Many States had already drawn up long-term plans for the development of nuclear energy. It had been estimated that in 1980 the non-nuclear States would be producing more than 25 per cent of the
electricity generated in the world by nuclear energy, and that estimate already seemed too modest. Romania intended to build a nuclear power station as the foundation of a large-scale programme for the development of nuclear-derived energy.

The application of nuclear techniques should reduce the gap between the developed and the developing countries. The right of every State to use nuclear energy for peaceful purposes was inherent in its sovereign right to independent economic development, and was an essential attribute of national sovereignty and independence. It was reaffirmed in article IV of the non-proliferation treaty.

The development of nuclear techniques obviously required sustained international co-operation. Non-nuclear-weapon States which had voluntarily renounced the production and acquisition of nuclear arms could not possibly renounce their right to take full advantage of the peaceful uses of nuclear energy. The obligation to co-operate was spelt out in article IV of the Treaty, which established the legal and political structure of that international co-operation and affirmed the inalienable right of all countries to have access to nuclear information, techniques and materials and to develop nuclear research. That collaboration must be built on solid foundations; nuclear activities for peaceful purposes must be allowed to develop freely and without hindrance on a footing of full equality. His delegation would support any proposals which met these requirements.

Mr. CAPRILES RICO (Bolivia) said that experts believed that the use of nuclear explosions for peaceful purposes afforded tremendous possibilities for the future of mankind. As Mr. Ginsbury had pointed out in his excellent paper, "The application of nuclear explosives for mining processes seems to be very attractive from the economic point of view and appears to be one of the major prospective fields for peaceful uses." Bolivia, essentially a mining country, naturally attached considerable importance to the uses of nuclear explosions for exploiting mineral resources, and therefore hoped to be able to benefit from those techniques with the support of technical assistance and economic co-operation.

However, nuclear explosions for peaceful purposes gave rise to serious security problems which would have to be carefully studied.
The Bolivian delegation had already expressed, at the resumed twenty-second session of the General Assembly, its concern at the dangers of radio-active fall-out from peaceful nuclear explosions carried out near its territory. Whatever authority was appointed to control those explosions, his delegation considered that nuclear explosions for peaceful purposes should be carried out under adequate international control as the Mexican delegation had proposed in its working paper (A/CONF.35/DOC.15). His delegation considered most pertinent the provisions of article 24 of the preliminary draft articles for the special international agreement contemplated in article V of the non-proliferation treaty (ibid., Annex II), particularly its sub-paragraph (e), which laid down that States wishing to explode nuclear devices should submit information on possible radioactive precipitation which the proposed explosion was capable of causing and on the measures which would be taken to avoid endangering the territory of the State in which the explosion would be carried out or of neighbouring States. The Tlatelolco Treaty contained a similar provision, and it was imperative that such an article should be inserted in any international treaty concluded for the purpose.

Mr. Nabwera (Kenya), Chairman, took the Chair.

Mr. USMANI (Pakistan), commenting on the question of nuclear explosions for peaceful uses (agenda item 14 (c) and (d)), said that at the present stage of development of nuclear techniques there was no difference whatsoever between an explosive nuclear device and a nuclear weapon: each was a bomb, and at present the end use of the explosion was immaterial. The United States representative had stated before the Eighteen-Nation Committee on Disarmament at its 280th meeting that an explosive device intended for peaceful purposes could be used as a weapon or easily adapted for such use. Soviet experts and experts from other nuclear Powers had made similar statements. It might perhaps be possible to distinguish between the two types of explosive devices one day, when certain groups of characteristics had been changed, but not in the predictable future. Consequently all existing non-nuclear-weapon States seeking to develop explosion techniques for peaceful uses would simply be demonstrating their wish to acquire nuclear weapons and contribute to the proliferation of nuclear armaments.
It seemed technically obvious that at least five years must pass before plans could be made for the widespread commercial and economic use of peaceful explosions, which the experts said (A/CONF.35/DOC.2, and DOC.3) could be useful in operations for which traditional explosives had become outmoded. That interval should be turned to good account in order to perfect the machinery for the "appropriate international observation" and "appropriate international procedures", and to define the nature of the "appropriate international body" mentioned in connexion with peaceful nuclear explosions by article V of the treaty on the non-proliferation of nuclear weapons.

The Conference might decide that in principle the appropriate body would be IAEA. In his delegation's view the establishment of an international body exclusively for the purposes of article V of the treaty would only be warranted if IAEA were failing to act or to come up to expectations. In point of fact, IAEA had just been entrusted by article III of the treaty with more responsibility for control throughout the world than it had ever had. The fact remained, however, that its Statute, and in particular the composition of its Board of Governors, rendered it an incoherent organization which operated in a totally arbitrary and undemocratic manner. At the 5th meeting, the representative of Ghana had very rightly remarked that there was no longer any reason why Belgium, for instance, should sit on the Board of Governors as a uranium producer. By article VI of the Agency's Statute semi-permanent seats were established on the Board for countries providing technical assistance; but any country could do so. The whole of the Agency's Statute, particularly with regard to the composition of the Board, must be recast if it was to be the international body referred to in article V of the treaty on the non-proliferation of nuclear weapons.

Some would say with truth that the Agency's Board as at present constituted had discharged its duties admirably and shown no discrimination against anyone. It was true that the Board was representative of the non-nuclear-weapon States, since they were a vast majority and only five States had nuclear weapons. Nevertheless the Board was not at present fulfilling the requirement of "adequate" representation laid down in article V of the treaty, since the
representation of Asian countries, for example, had been numerically fixed once and for all. Having served as Chairman of the Board of Governors for two years, he could state personally that thirteen of the twenty-five Board members were semi-permanent and twelve served for two years in rotation. The Board's discussions did not take proper account of the situation in certain parts of the world.

Incidentally, the draftsmen of the treaty, in avoiding any specific mention of the Agency in articles IV and V and preferring to speak of an "appropriate international body", might have been thinking of the defects inherent in its Statute, although it had the technical qualifications and experience necessary to enable it to perform the tasks laid down in article V.

After the decision had been taken to make the Agency sufficiently democratic to be given the duties mentioned in articles IV and V of the treaty, the problem of "appropriate international observation" and of "appropriate international procedures" for nuclear explosions for peaceful uses must also be solved, since the Agency would not necessarily be the only organization concerned. It would have to be decided that a non-nuclear-weapon State, whether or not a party to the treaty, might not carry out nuclear explosions for peaceful uses until it had submitted a detailed report on technical feasibility for approval by the IAEA and any other international organization concerned (the World Health Organization (WHO), the Food and Agriculture Organization of the United Nations (FAO), etc.). No country should be permitted to carry out a nuclear programme of that kind without the necessary authorization from the Agency, which should have sole competence in the matter.

Mr. OTERO NAVÁSCUE (Spain) expressed concern that a number of speakers had doubted whether the non-nuclear-weapon Powers would be able to obtain from the nuclear-weapon Powers access to advanced nuclear technology. Whereas the obligations of the non-nuclear-weapon Powers had been clearly defined in the treaty on the non-proliferation of nuclear weapons, those of the nuclear-weapon Powers had not. However, the duties of the latter urgently needed equally clear definition.

A number of excellent proposals had been submitted to the Conference, such as that of Switzerland (A/CONF.35/C.2/L.1). His
delegation considered that Committee Two, in the short time at its disposal, ought to consider those proposals and reach decisions on them as rapidly as possible.

Mr. SOLE (South Africa) commented on item 14 (c) and (d) of the agenda.

He said that South Africa, as a mining country, was one of the largest users of explosives for peaceful purposes. The future of explosion technology was therefore of particular interest to it, and it had made a careful study of the documents dealing with the problem which had been submitted to the Conference.

However, since the nuclear-weapon Powers had remained silent, he could not see to what positive conclusions the discussion might lead. The representative of Pakistan had stated that at least five years would certainly have to pass before any commercial profit could be derived from peaceful nuclear explosions. Preliminary enquiries made by his Government showed that to be a very optimistic view. In the next ten years it would probably be necessary to be satisfied with one or two "Plowshare" projects at the most.

He feared that the non-nuclear-weapon Powers were being too optimistic. When IAEA had been established about ten years earlier, the same state of mind had prevailed with regard to the use of nuclear reactors for peaceful purposes. It had been necessary to wait for years before the nuclear-weapon Powers had shown that those reactors could be installed successfully and competitively, and before the idea of using them for peaceful purposes had been accepted. He feared that peaceful nuclear explosions might take the same road. It had to be fully appreciated that no non-nuclear-weapon Power was prepared to execute a programme of nuclear explosions for peaceful purposes before the nuclear-weapon Powers had proved that they could be expected to succeed.

Patience, therefore, was required, not the establishment of a new international organization. The Agency had to be requested to continue its investigations into the health, security and other risks of explosions. There was still a considerable difference between exploding a bomb for military and for peaceful purposes.
His delegation therefore considered that study of the problem of nuclear explosions for peaceful purposes must be postponed until its scope, the demand for explosions, and the financial implications both for the State supplying the technology and for the beneficiary State were known.

The meeting rose at 4.35 p.m.
SUMMARY RECORD OF THE TENTH MEETING

held
on Wednesday, 18 September 1968, at 3.20 p.m.

Chairman: Mr. ESCHAUZIER Netherlands
Rapporteur: Mr. Alfonso SANTA CRUZ Chile
In the absence of the Chairman, Mr. Eschauzier (Netherlands), Vice-Chairman, took the Chair.

PROGRAMMES FOR CO-OPERATION IN THE FIELD OF PEACEFUL USES OF NUCLEAR ENERGY (agenda item 14):

(a) ACCESS TO AND EXCHANGE OF EQUIPMENT, MATERIALS AND SCIENTIFIC AND TECHNOLOGICAL INFORMATION FOR THE PEACEFUL USES OF NUCLEAR ENERGY AMONG NON-NUCLEAR-WEAPON STATES AND NUCLEAR-WEAPON STATES (A/CONF.35/C.2/L.4) (continued)

(b) ASSISTANCE AND CO-OPERATION IN DEVELOPMENT OF THE APPLICATION OF NUCLEAR ENERGY FOR PEACEFUL PURPOSES, IN THE TERRITORIES OF THE NON-NUCLEAR-WEAPON STATES, WITH DUE CONSIDERATION FOR THE NEEDS OF THE DEVELOPING AREAS OF THE WORLD (continued)

(c) THE QUESTION OF NUCLEAR EXPLOSIONS FOR PEACEFUL USES (continued)

(d) BENEFITS FROM PEACEFUL APPLICATIONS OF NUCLEAR EXPLOSIONS TO NON-NUCLEAR-WEAPON STATES WHICH HAVE RENOUNCED THE PRODUCTION, ACQUISITION AND USE OF NUCLEAR WEAPONS PURSUANT TO SPECIAL INTERNATIONAL AGREEMENT OR AGREEMENTS THROUGH AN APPROPRIATE INTERNATIONAL BODY OR THROUGH BILATERAL ARRANGEMENTS (continued)

Mr. CAMPBELL (Canada) said that his country was particularly interested in the question of the provision of nuclear explosives services by the nuclear-weapon States to signatories of the Non-Proliferation Treaty, because it possessed at least one very substantial natural resource which might be exploited by means of nuclear explosions.

The document entitled "The Question of Peaceful Nuclear Explosions for the Benefit of Non-Nuclear-Weapon States" (A/CONF.35/DOC.2) was very interesting, but the information concerning the possible recovery of petroleum from oil sands in Canada's Athapaska area was not entirely accurate. It was true that, in 1957, an oil company had asked for authorization to undertake an experiment with a 10-kiloton device, but a committee composed of representatives of the Federal Government and the Alberta Provincial Government had studied the question and concluded that the project was not technically feasible and was unsatisfactory from the safety standpoint. There was no reason to believe that any further application would be made before the results of various nuclear explosive experiments in the United States oil industry were known.

The Canadian Government considered that article V of the Treaty established an acceptable balance of mutual responsibilities and obligations of the nuclear-weapon and non-nuclear-weapon States.
However, it had made it clear on several occasions that it fully supported the inclusion in articles I and II of the provision extending to prohibitions relating to nuclear weapons to "other nuclear devices" as well, because both could be used for civil or military purposes.

Article V provided that "negotiations" on the subject of peaceful nuclear explosive services should "commence as soon as possible after the Treaty entered into force". The exchanges of views in the Eighteen-Nation Disarmament Committee had prepared the ground for such negotiations, which might, as the United States representative had suggested, be held in the International Atomic Energy Agency, one of whose Statutory responsibilities was to promote the peaceful uses of nuclear energy.

As the United States representative had pointed out at the 384th Session of that Committee, considerable effort was still required to transform existing knowledge about nuclear explosions to applications useful to civil engineering and extractive industries. Those who felt that article V did not provide satisfactory compensation to countries which had renounced the manufacture of nuclear weapons and other nuclear explosive devices would find much to think about in the statement made by the United States representative at that session. That representative had also said that in providing nuclear explosions service in accordance with article V, his country would have to conform to the provisions of the Limited Test Ban Treaty, which presented no difficulty so far as the research on and development of explosive nuclear devices for peaceful purposes were concerned, nor for the development of technology for the application of nuclear explosions to large underground engineering projects. But he had also pointed out that the complete technology for some nuclear excavation projects could not be developed owing to the restrictions imposed by the Limited Test Ban Treaty and that a modification of those restrictions would be required to permit the complete development of the technology and the execution of such projects.

At the 385th meeting of the same Committee, the Swedish delegation had said that the development of explosive nuclear devices for peaceful purposes was hardly compatible with a test ban on nuclear weapons. That was not going to be an easy problem to resolve, since the nuclear
weapon Powers would have to agree on ways and means of reassuring each other and the rest of the world that they were not pursuing the development of weapons under the guise of explosions for peaceful purposes.

In the view of the Canadian delegation, any arrangements covering nuclear explosives services, which would be a useful supplement to the Non-Proliferation Treaty, should be fully compatible with a comprehensive test ban.

As the Canadian representative had said at the 393rd meeting of the Eighteen-Nation Committee, the role of IAEA in regard to nuclear explosions services should be: (a) to collect and publish scientific and technical information about peaceful applications of nuclear explosive technology; (b) when so requested, to act as an intermediary in arranging for peaceful nuclear explosions to be carried out by one country on the territory of another; (c) to register and to publish the intention of one country to carry out a nuclear explosion on the territory of another; and (d) to make provision for the observation of peaceful nuclear explosions carried out on the territory of non-nuclear-weapon States in order to prevent infringement of treaty obligations and to advise on appropriate measures to protect health and property.

Nuclear-weapon States in a position to provide nuclear explosions services should undertake to make such services available through IAEA or bilaterally on a non-discriminatory basis. It was important also to ensure that all explosive devices should remain under the sole custody and control of the nuclear State providing the services.

The working documents submitted by Mexico (A/CONF.35/DOC/15) and Italy (A/CONF.35/C.2/C.2/2) focussed the views of delegations on the essential problem, but gave the impression that there were already extensive possibilities for peaceful engineering applications of nuclear explosive devices. Canada, which was relatively advanced in nuclear technology, was particularly conscious that much remained to be done before such explosive devices could be put to practical use.

The objective of the negotiations which were to take place when the Non-Proliferation Treaty came into effect should be to secure the conclusion of an international agreement which would make more specific
the obligations of article V and the guide-lines within which agreements for individual projects should be framed. Such guide-lines would be concerned with the "appropriate international observation" and the "appropriate international procedures" mentioned in article V, and the agreements should be similar to the project agreements normal in economic assistance relationships, but should contain certain special provisions. In that connexion, Canada would not regard any unilateral declaration renouncing nuclear weapons as sufficient to qualify a nation for access to those services.

The negotiations conducted in accordance with article V of the Non-Proliferation Treaty would probably be long and difficult. To introduce proposals for the creation of a new international fund would only complicate them. He saw no reason why States which had already prepared development projects involving nuclear explosions should not turn to the United Nations Development Programme (UNDP) or the regional development banks for financial assistance. It should also be remembered, as the Director General of IAEA had recently reminded the Conference, that that Agency might assist members in securing financial resources.

The Conference should recommend that the United Nations General Assembly should request IAEA to study the question of peaceful nuclear explosions, with particular reference to article V of the Non-Proliferation Treaty.

Mr. EDELSTAM (Sweden) said that the question of nuclear explosions for peaceful purposes should be examined within the wider framework of nuclear disarmament, having regard to the necessity of arriving as rapidly as possible at a comprehensive test ban treaty.

During the negotiations in the Eighteen-Nation Committee on Disarmament and in the First Committee of the United Nations General Assembly regarding the Non-Proliferation Treaty, his delegation had made several concrete proposals concerning the wording of what was now article V of that Treaty. The main purpose of his delegation's efforts had been to ensure that no provision on the matter of nuclear explosions in the context of the Non-Proliferation Treaty should prohibit or even endanger the adoption of a general prohibition against all nuclear explosions in connexion with a comprehensive test ban treaty.
His delegation had fully accepted the idea that the prohibition of the manufacture of nuclear explosive devices by non-nuclear-weapon States was to be covered by that treaty; so far as the use of such devices was concerned, its view had been - and still was - that a non-discriminatory formula for prohibiting nuclear explosions was imperative and that the appropriate international legal framework for such a prohibition was a comprehensive test ban treaty. Such a treaty would have to contain a rule allowing for derogations from the ban for peaceful explosions under specific rules and subject to international management and control.

That way of looking at the problem presupposed three legal instruments: the Non-Proliferation Treaty prohibiting the manufacture of nuclear explosives by non-nuclear-weapon States; a comprehensive test ban treaty prohibiting in principle nuclear explosions, whether for military or for peaceful purposes; and, lastly, a treaty providing a regime for the international administration and control of explosions for peaceful purposes as derogations from the general prohibition under the test ban.

His delegation still had serious misgivings about the situation created by the Non-Proliferation Treaty; owing to the way in which those rules had been drafted, some countries - because they were militarily advanced in the nuclear field - would have direct access to the important economic and technical benefits of the new technology, while others would be able to obtain them only in an indirect way. That was one of the reasons why Sweden had urged that a comprehensive test ban treaty should be concluded rapidly in order to rectify that discriminatory situation.

Other delegations had already drawn attention to that fact; for instance, the head of the Indian delegation, at the 13th plenary meeting of the Conference, had quoted from the joint memorandum (ENDC/235) presented to the Eighteen-Nation Committee on Disarmament on 26th August 1968 by eight non-aligned States, including Sweden. In that document, due emphasis had been placed on the importance and urgency of concluding a comprehensive test ban treaty.

The discriminatory nature of the present situation would become more marked when the Non-Proliferation Treaty came into force. It
could even be said that the future plans concerning nuclear explosion techniques might be detrimental to the interests of disarmament. The widespread interest, on commercial and economic grounds, in peaceful nuclear explosions and their development, and the inconvenience caused to such projects by the limitations of a comprehensive test ban treaty, could seriously decrease interest in the conclusion of such a treaty. Were the potential benefits of that new technique worth the risk of compromising the prospects for a comprehensive test ban treaty? Surely they were not. Negotiations for such a treaty should start without further delay and the participants in the Conference should strive to handle the issue of nuclear explosions for peaceful purposes in such a way that it would appear as a natural sequel to the comprehensive test ban treaty. A serious problem had also recently arisen in connexion with the Partial Test Ban Treaty. It had been suggested that this Treaty would have to be amended if some large excavation projects were to be carried out in order to permit releases across borders of radioactivity from venting underground explosions.

His delegation supported the suggestion made by the Indian representative at the 13th plenary meeting of the Conference to the effect that the development of the technology of nuclear excavation projects should be sought not by way of modification of the Moscow Test Ban Treaty, but in the context of a comprehensive test ban treaty and of a separately negotiated agreement which should be made part of the international regime for peaceful nuclear explosions.

The Conference should not allow the monopoly which certain States had over nuclear weapons to be extended to peaceful activities, but should work for non-discrimination and the independence of all States with regard to the potential benefits of nuclear explosions. The interests of poorer countries might become seriously jeopardized if the rules of article V of the Non-Proliferation Treaty were to be carried out in the way several delegations had proposed. Poorer countries might become dependent on a nuclear-weapon State not only so far as nuclear devices were concerned, but also for services relating to the civil engineering work connected with such projects. That might be the case particularly if the bilateral form of agreement was used as provided for in article V. That was one of the main reasons
why his delegation considered that the nuclear explosive services should be carried out under an international regime. Another reason was that the nuclear-weapon Powers were free to undertake any project in that field, the only internationally formalized limitation being the rules of the Partial Test Ban Treaty. For health and economic reasons, however, projects decided on unilaterally by the nuclear-weapon Powers should be licensed by an international body.

The Mexican and Italian delegations had put forward suggestions concerning the creation of new international bodies. His own delegation viewed such plans with misgivings and would much prefer the utilization of the existing organization, namely IAEA, whose Director General had, moreover, stated before the Committee that the Agency was in a position to handle new tasks in the field of international co-operation for the peaceful uses of nuclear energy. IAEA should be asked to pursue its studies on that subject in order to prepare itself to assume the task as the "appropriate international body" within the meaning of article V of the Non-Proliferation Treaty.

Mr. OGISO (Japan) observed that the peaceful applications of nuclear explosions meant underground explosions of nuclear devices and their peaceful uses. In that connexion, the "ploishare" projects sponsored by the United States Atomic Energy Commission provided extremely useful information. One of the main purposes of such projects was the digging of a second Panama Canal. The cost of excavation by nuclear explosion would be only one third the cost of excavation by conventional means.

That new technology appeared to offer various advantages. In the first place, it placed at man's disposal a large amount of energy, equivalent to several million tons of TNT, in a compact form. Man-kind had thereby obtained a very powerful tool. Civil engineering projects would be on a far larger scale than in the past and would make it possible, for example, to convert deserts into fertile land by creating trans-continental canals. In the second place, the unit cost of the energy obtained from nuclear explosions was low compared to the cost of conventional sources of energy. Underground explosions of nuclear devices could also be used for the economical exploitation of natural resources. Underground explosions had been
used to produce certain types of trans-uranium elements which promised great benefits in such fields as medicine and space. None the less, work was still confined primarily to the field of theoretical and applied research. Furthermore, the safety problem still had to be dealt with. Although the amount of radioactive matter produced by explosions had been greatly reduced, the problem of air, soil and ground-water contamination had not yet been entirely solved. The health authorities of States tended to take a very strict view of the question of safety. In any event the full benefits of the peaceful applications of nuclear energy could be enjoyed only if there was an excellent understanding of the problems involved.

Some factors would have to be clarified before the non-nuclear-weapon States would be able to take full advantage of the benefits mentioned in article V of the Non-Proliferation Treaty. In that regard, the nuclear Powers carrying out work in that new area of technology should be asked to give the Committee their evaluations of the technical and economic possibilities and their views on the major problems in that field. The IAEA should be asked to undertake a study to ascertain the role it could play, for example, by providing the necessary services through international proceedings so that the non-nuclear-weapon States might enjoy the full benefits of that developing technology, by serving as an intermediary for transmitting relevant technical information at the international level and by contributing to the conclusion of the agreements provided for in article V of the Non-Proliferation Treaty.

He introduced and commented on the draft resolution submitted by his delegation (A/CONF.35/C.2/L.4) concerning the role which would be assigned to IAEA in the implementation of article V of the Treaty on the Non-Proliferation of Nuclear Weapons.

The third paragraph under operative part I of the draft resolution fully recognized the right of States possessing scientific and technical information to regard it as belonging to the domain of national security. None the less, it would be advisable to specify that undue restrictions should not be placed on the free exchange of information for reasons of national security.
With respect to operative part III, he explained that the transfer of special fissionable material to the non-nuclear-weapon States Parties to the Treaty could be liberalized if those materials were subject to the Agency's safeguards system.

In addition, his delegation was prepared to consider any proposal for improving its draft resolution and to consult with the delegations that had submitted similar draft resolutions in order to produce a single draft.

ORGANIZATION OF WORK

Mr. OGISO (Japan), speaking on a procedural matter, asked that the Chairman should be requested to consult with the President of the Conference, the Chairman of Committee One and, if necessary, with the members of the General Committee on the possibility of entrusting to Committee Two consideration of agenda item 13 (a) (Safeguards against the diversion of source or special fissionable material from peaceful to military uses, and safeguards against industrial espionage), which had been referred to Committee One. Committee One had a very heavy agenda and the work of Committee Two was progressing rapidly. Furthermore, the question of safeguards had often been raised during its debate on agenda item 14.

The CHAIRMAN observed that the allocation of the various agenda items to the two Committees had been decided on by the General Committee, and that it was that body alone which could reverse its decision.

Mr. BETTINI (Italy) and Mr. OTERO NAVASCUES (Spain) supported the proposal of the Japanese representative.

Mr. MORRIS (Australia) said that he too supported that proposal, since he felt that the question of safeguards was linked to that of the peaceful uses of nuclear energy and therefore came within the competence of Committee Two.

The CHAIRMAN suggested that the Committee should adopt the proposal of the Japanese representative.

It was so decided.

Mr. CAMPBELL (Canada) suggested that if the question of safeguards was referred to Committee Two, the secretariat should summarize
the comments made on the subject in Committee One and circulate it to
the members of Committee Two.

Mr. PLANET (Federal Republic of Germany) supported that
suggestion.

Mr. ROY (India) thought that the General Committee had
probably had sound reasons for entrusting consideration of agenda item
13 (a) to Committee One. In his opinion, Committee Two could examine
the question of safeguards in so far as it was related to agenda item
14, without requesting that consideration of that question should be
expressly entrusted to it.

Mr. UZHAN (Pakistan) said that Committee One had set up a
working group to examine the various resolutions submitted in the course
of its deliberations. The group was composed of fifteen members represen-
ting the various geographical regions. As Committee Two had
several draft resolutions before it, it might set up a similar working
group.

Mr. EDELSHAM (Sweden) thought that it would be useful to
entrust consideration of the various draft resolutions to a working
group. He felt, however, that the principle of geographical distri-
bution should not be applied with regard to the group's composition. 
 Similarly, it would be preferable not to fix the group's membership
at an arbitrary figure, so that all the sponsors of draft resolutions
could be included.

The CHAIRMAN pointed out that the Committee already had
several draft resolutions before it and said that the time-limit for
the submission of draft resolutions was Thursday, 19 September.

Mr. KRISHNAN (India) thought that it would be preferable if
dellegations held consultations before taking a decision on the estab-
lishment of a working group. He considered that not only the sponsors
but all representatives who were concerned with the drafts submitted
should be allowed to take part in the work of that group.

The CHAIRMAN said that he would ask the General Committee
for its views on the establishment of a working group to examine the
various draft resolutions.

The meeting rose at 12.5 p.m.
SUMMARY RECORD OF THE ELEVENTH MEETING

held
on Thursday, 19 September 1968, at 10.30 a.m.

Chairman: Mr. ESCHAUZIER Netherlands
later, Mr. NABWERA Kenya
Rapporteur: Mr. Alfonso SANTA CRUZ Chile
In the absence of the Chairman, Mr. Eschauzier (Netherlands), Vice-Chairman, took the Chair.

ORGANIZATION OF WORK

The CHAIRMAN announced that the General Committee had recommended that the members of Committee Two should meet informally to examine the various draft resolutions relating to the matters before it and combine them in a single resolution, if possible. Delegations which so desired could attend that meeting, which would be held on the same day at 3.00 p.m.

PROGRAMMES FOR CO-OPERATION IN THE FIELD OF PEACEFUL USES OF NUCLEAR ENERGY (agenda item 14):

(a) ACCESS TO AND EXCHANGE OF EQUIPMENT, MATERIALS AND SCIENTIFIC AND TECHNOLOGICAL INFORMATION FOR THE PEACEFUL USES OF NUCLEAR ENERGY AMONG NON-NUCLEAR-WEAPON STATES AND NUCLEAR-WEAPON STATES (A/CONF.35/C.2/L.7) (continued)


(c) THE QUESTION OF NUCLEAR EXPLOSIONS FOR PEACEFUL USES (continued)

(d) BENEFITS FROM PEACEFUL APPLICATIONS OF NUCLEAR EXPLOSIONS TO NON-NUCLEAR-WEAPONS STATES WHICH HAVE RENOUNCED THE PRODUCTION, ACQUISITION AND USE OF NUCLEAR WEAPONS PURSUANT TO SPECIAL INTERNATIONAL AGREEMENT OR AGREEMENTS THROUGH AN APPROPRIATE INTERNATIONAL BODY OR THROUGH BILATERAL ARRANGEMENTS (continued)

Mr. SETTINI (Italy) pointed out that the Treaty on the Non-Proliferation of Nuclear Weapons had no clause dealing with the settlement of disputes. He agreed with the Swiss representative that that procedural matter should not be neglected, since it might very seriously affect the implementation of the Treaty. The Conference should adopt a recommendation to the effect that the problem of the settlement of disputes relating to the interpretation and application of the Treaty should be studied with a view to determining how it could best be dealt with. If the majority of the members so desired, his delegation would submit a practical and concrete suggestion for that purpose,
It was also essential that all States, including the nuclear-weapon States, should accept the safeguard clause of the Treaty. Several delegations had made the same suggestion, which had been incorporated in one of the draft resolutions. He was pleased to note that the Governments of the United Kingdom and the United States of America had already taken a decision to that effect.

Finally, the procedure for the convening of the conference provided for in the Treaty could be defined by common agreement. Provision was made for three kinds of conferences: review conferences (Article VIII, paragraph 3), amendment conferences (Article VIII, paragraph 1) and the conference after 25 years (Article X, paragraph 2). It did not however contain any provision concerning how and by whom those conferences should be convened, with the exception of the first review conference (Article VIII, paragraph 3). Those details could give rise to different interpretations by the Parties to the Treaty. He believed that that procedural matter ought to be studied in order to facilitate the application of the Treaty.

In conclusion, he recalled that the Italian delegation had submitted a proposal (A/CONF.35/C.2/1) for the establishment of international machinery responsible for the implementation of the conclusions of the Conference. In its opinion, such machinery was indispensable. His delegation would welcome any observations or criticisms that the members of the Committee would make.

Mr. Nabwera (Kenya), Chairman, took the Chair.

Mr. Urquiola (Philippines) said that the question of the peaceful application of nuclear explosions was of great interest for non-nuclear-weapon States, especially developing countries, because of its implications for the economic development of the developing areas of the world.

The nuclear Powers, especially the United States and the USSR, had been conducting extensive research on the possible application of peaceful nuclear explosions to civil engineering works. Under the "Plowshare" programme, the United States had accelerated the development of nuclear explosion technology in order to undertake certain projects for providing mankind with a powerful and cheap source of energy. Such projects included the digging of canals, the construction
of harbours and dams, exploitation of natural gas and some mining operations. The application of nuclear excavation technology to mining could present a very attractive prospect for a mining country like the Philippines, if the new nuclear technology became technically and economically feasible.

His delegation considered that in order to ensure that non-nuclear-weapon States benefited from the peaceful application of nuclear explosion, the conditions and procedures of international collaboration for the carrying out of peaceful nuclear projects should be established with the full consent of those States. Such projects should be undertaken only after extensive research into their technical and economic feasibility. Furthermore, they should be undertaken only at the request of the non-nuclear-weapon States, and with their full participation, pursuant to international agreement, and should be channeled through an international body.

He opposed suggestions for the establishment of a new international body to deal with such matters as the potential benefits from peaceful nuclear explosions, for he considered the International Atomic Energy Agency (IAEA) perfectly competent to carry out the new functions provided for by the Treaty on the Non-Proliferation of Nuclear Weapons and also capable of providing increased technical assistance to non-nuclear-weapon States in the developing areas of the world. Some delegations had argued that IAEA had been unable to satisfy the needs of developing countries in the matter of technical assistance and also that the developing countries were not adequately represented on the Agency's Board of Governors. The Director General of IAEA had rightly pointed out that it was not a lack of interest or of goodwill on the part of the Agency which limited its activities in the technical assistance field, but a lack of financial resources which meant that only a third of the requests for equipment and expert services could be given consideration.

In regard to the non-representative character of the Agency's Board of Governors, the constitution of IAEA should perhaps be amended and the number of the members of the Board of Governors increased to ensure an equitable geographic representation, especially of the developing countries. The Agency's financial resources should be
increased to enable it to carry out the additional functions it would assume under the Treaty on the Non-Proliferation of Nuclear Weapons. The Treaty provided in its article V that negotiations to enable non-nuclear-weapon States to benefit from the peaceful application of nuclear explosions, in accordance with a special international agreement, through the appropriate international body, should begin as soon as possible after the Treaty entered into force. However, the USSR representative had stated that of course, the appropriate preparatory work could be begun before the Treaty actually came into force and that the general principles and procedures to be incorporated in the special international agreement should be determined "with the broadest possible participation of non-nuclear-weapon States" (A/CONF.35/DOC.15, p.3). Also, the United States representative had said that it was "important that the primary agreement - defining the function of the international body - be negotiated promptly" and that the provision concerning negotiations was not intended in any way to preclude preparatory consideration of this matter before the Treaty came into force (ibid.).

In view of those categorical statements by the two great nuclear Powers his delegation considered that the preparatory consideration of this question should begin without delay and would support any proposal for a special international agreement incorporating a statute setting out the structure, functions, powers and procedure which would make the international body (which should be IAEA) the main channel through which non-nuclear States could obtain the benefits from the peaceful application of nuclear explosion.

His delegation believed that the attitude of non-nuclear-weapon States to the Treaty on Non-Proliferation would depend largely on the promptness and rapidity with which the nuclear Powers carried out their commitments under the Treaty, not only in ensuring the non-proliferation of nuclear weapons and explosive nuclear devices but also in reassuring the non-nuclear States that complete and total disarmament under effective control would eventually be achieved.

Mr. GUSSGARD (Norway), introducing a draft resolution on the role and functions of the Agency (A/CONF.35/C.2/L.7), of which his delegation was a sponsor, said that many representatives had stressed the importance of the work undertaken by IAEA to further international
co-operation in the field of the peaceful applications of nuclear energy. The general opinion seemed to be that the agency was performing its task well. The draft resolution was therefore a fair reflection of the discussion which had taken place on the subject in Committee Two.

The Agency should continue to pursue its studies in the field of peaceful applications of nuclear explosions in order to serve later as the appropriate international body with respect to article V of the Non-Proliferation Treaty. As for the objections which had been raised about the composition of certain organs of the Agency, such problems could be solved in due course by the Agency itself. The many technical proposals which had been submitted in the course of discussion should be referred to the relevant scientific and technical organs for evaluation and detailed discussion. The IAEA would examine such proposals with interest and would make the fullest possible use of them in implementing its programme. In the near future, after the entry into force of the Non-Proliferation Treaty, the tasks and responsibilities of the Agency would probably have to be considerably increased. His delegation hoped that the Conference would do its utmost to encourage the Agency to adapt itself to the new situation and to take all appropriate measures.

Mr. MWAANGA (Zambia) introduced a draft resolution on the role of the Agency in the field of peaceful uses of nuclear energy (A/CONF.35/C.2/L.8), of which his delegation was a sponsor. He said that the draft resolution had taken into consideration observations made in the course of the discussion, particularly the apprehensions aroused in many non-nuclear-weapon States by the unrepresentative nature of IAEA and by the fact that full expression of the views of the developing countries was not possible.

Nevertheless, although they appreciated the reasons behind the proposal to create a new international body, the sponsors of the draft resolution could not approve of the proliferation of international organizations. For that reason, they proposed to broaden the composition of the Agency's Board of Governors so as to ensure equitable geographical distribution and so as to reflect the views of a broader spectrum of the developing countries.
The sponsors of the draft resolution would welcome any suggestions that might improve the text which they had submitted.

Mr. NAVA CARRILLO (Venezuela), referring to the draft resolution on the knowledge of the potentialities of the peaceful applications of nuclear energy (A/CONF.35/C.2/L.2/Rev.1 and Rev.1/Add.1) which had been submitted by sixteen Latin American countries, said that the conclusions of the Board of Governors of IAEA and the deliberations of the present Conference had made clear all the advantages which mankind in general and especially the developing countries could derive from the peaceful uses of nuclear energy. However, such countries were not sufficiently aware of the present and potential opportunities offered to them by the peaceful applications of nuclear technology for their economic and scientific advancement; for that reason the sponsors of the draft resolution considered that the Secretary-General of the United Nations should appoint a Group of Experts to study the question in all its details and to draw up a report which would be transmitted to the Member States and subsequently submitted to the General Assembly at its twenty-fourth Session. In order to perform its task satisfactorily, the Group of Experts should have the assistance of the competent organs of the United Nations, particularly IAEA and the United Nations Industrial Development Organization (UNIDO).

Mr. AZEREDO da SILVEIRA (Brazil) introduced the draft resolution submitted by the Latin American countries (A/CONF.35/C.2/L.6 and Add.1), the purpose of which was to guarantee to developing countries international co-operation for the study and development of nuclear technology and to enable these countries to acquire fissionable materials such as enriched uranium and plutonium.

Non-nuclear-weapon States had the right to enjoy the widest international co-operation in carrying out unimpeded their research and practical application programmes in the field of nuclear energy; such co-operation should be the subject of adequate guarantees but should not depend upon improving the system for the non-proliferation of nuclear weapons. The best way for non-nuclear-weapon States to establish international co-operation in the field of nuclear technology was to define common objectives before embarking upon negotiations with the nuclear Powers. On the other hand, for practical reasons, the
fullest possible use should be made of international organs of co-operation which were already in existence and in particular of IAEA. It was of importance that the assistance provided by the Agency should be increased and that a more equitable geographical distribution of seats on the Board of Governors should be ensured, but above all, the Agency must be strengthened and its structure modified to make it better adapted to new conditions.

The intention of the Latin American countries, in their draft resolution, had been to take into account the opinions expressed by the various delegations concerning agenda item 14 (a) and (b), but they were prepared also to give consideration to any observations which might be made in the course of discussion.

The meeting rose at 11.25 a.m.
SUMMARY RECORD OF THE TWELFTH MEETING

held
on Friday, 20 September 1968, at 10.20 a.m.

Chairman: Mr. NABWERA Kenya

Moderator: Mr. Alfonso SANTA CRUZ Chile
PROGRAMMES FOR CO-OPERATION IN THE FIELD OF PEACEFUL USES OF NUCLEAR ENERGY (agenda item 14): 

(a) ACCESS TO AND EXCHANGE OF EQUIPMENT, MATERIALS AND SCIENTIFIC AND TECHNOLOGICAL INFORMATION FOR THE PEACEFUL USES OF NUCLEAR ENERGY AMONG NON-NUCLEAR-WEAPON STATES AND NUCLEAR-WEAPON STATES (continued)

(b) ASSISTANCE AND CO-OPERATION IN DEVELOPMENT OF THE APPLICATION OF NUCLEAR ENERGY FOR PEACEFUL PURPOSES, IN THE TERRITORIES OF THE NON-NUCLEAR-WEAPON STATES, WITH DUE CONSIDERATION FOR THE NEEDS OF THE DEVELOPING AREAS OF THE WORLD (continued)

(c) THE QUESTION OF NUCLEAR EXPLOSIONS FOR PEACEFUL USES (A/CONF.35/C.2/L.10) (continued)

(d) BENEFITS FROM PEACEFUL APPLICATIONS OF NUCLEAR EXPLOSIONS TO NON-NUCLEAR-WEAPON STATES WHICH HAVE RENOUNCED THE PRODUCTION, ACQUISITION AND USE OF NUCLEAR WEAPONS PURSUANT TO SPECIAL INTERNATIONAL AGREEMENT OR AGREEMENTS THROUGH AN APPROPRIATE INTERNATIONAL BODY OR THROUGH BILATERAL ARRANGEMENTS (A/CONF.35/C.2/L.9) (continued)

Mr. EL GUEBEILY (United Arab Republic) observed that the peaceful applications of nuclear explosions would in time have great economic advantages, for example in working natural gas, petroleum and mineral deposits and in major civil engineering works.

The United Arab Republic, 95 per cent of whose territory was desert, was keenly interested in the future prospects of increasing its water resources; large stretches of its western coast were suitable for cultivation if they could be properly irrigated. Hence the Government was closely following all development in projects for seawater desalination and in prospects for tapping big underground water reservoirs and for excavation by means of nuclear explosions.

However, there was no disguising the fact that much work still remained to be done by the nuclear-weapon states before nuclear technology reached the stage of large-scale applications. The Conference should invite the International Atomic Energy Agency (IAEA) to prepare a detailed document on the present situation with regard to peaceful applications of nuclear explosions; the nuclear-weapon States would be requested to make available to IAEA all necessary information in that connexion, and the Agency would transmit it to all States.

The technology of nuclear explosions was essentially the same for nuclear weapons and for other nuclear explosive devices. For that reason the Treaty on the Non-Proliferation of Nuclear Weapons, in its
articles I and II, rightly prohibited all nuclear explosions by signatory non-nuclear-weapon States. Yet some statements, as well as some draft resolutions, referred only to renunciation of the acquisition and production of nuclear weapons. His delegation considered it essential that the various draft resolutions, as well as the final document of the Conference, should specify that any legally binding renunciation should cover, in addition to nuclear weapons, all other nuclear explosive devices and control over such weapons or explosive devices.

Non-nuclear-weapon States had the inalienable right to share in the potential benefits of nuclear explosions for peaceful purposes; the provisions for the exercise of that right, as set out in article V of the Treaty, were generally satisfactory. The International Atomic Energy Agency, in virtue of its statutory functions and its experience, would be the most suitable body for discharging the tasks outlined in that article. However, his delegation shared the views expressed by a number of other delegations concerning certain problems which must be solved, such as that of the composition of the Agency's Board of Governors. The Agency, if finally chosen for the purpose, should undertake all necessary preparatory studies and arrangements for the implementation of article V; the Agency's structure would have to be strengthened and adapted to its growing responsibilities.

Under article VI of the Treaty, each of the Parties to the Treaty undertook to pursue negotiations on effective measures relating to cessation of the nuclear arms race, nuclear disarmament, and general and complete disarmament under strict international control. One such measure might be the conclusion of a comprehensive test ban treaty. If such a treaty prohibited all types of nuclear explosive tests without exception, the result would be to halt tests for peaceful purposes. On the other hand, if explosive tests for peaceful purposes were permitted unconditionally under the treaty, there would still be a risk that a Power might use such tests to develop new nuclear weapons. The problem was a complex one, but it was to be hoped that the Eighteen-Nation Committee on Disarmament would find a satisfactory solution to it in the near future.

Mr. KRISHNAN (India) thought that the question of nuclear explosions for peaceful purposes involved three principal issues,
Firstly, the proliferation of nuclear weapons should be prevented, but in such a way as to ensure the untrammelled development of all peaceful applications of nuclear energy including the technology of nuclear explosions for peaceful purposes. Secondly, the question of nuclear explosions for peaceful purposes should be linked with the conclusion of a comprehensive test-ban treaty. Thirdly, it was necessary to institute an international regime in the matter of nuclear explosions for peaceful purposes, in order to make that technology and its advantages available to all States without discrimination.

India had always upheld the idea of the non-proliferation of nuclear weapons and the utilization of nuclear energy exclusively for peaceful purposes. Its adherence to that policy had been firm, consistent and unequivocal. At the same time the Government of India was convinced that, in the interest of the economic well-being of its people, it should make every effort to develop the utilization of nuclear energy for various peaceful purposes. In its view all nations should be allowed to develop such utilization freely and should have equal opportunities to do so. The creation of any monopoly in specific peaceful applications of nuclear energy would increase the economic dependence of the weaker nations and merely aggravate international tension. Any discrimination in international co-operation to develop nuclear energy for peaceful purposes should therefore be avoided. The immense possibilities created for mankind by the development of the technology of nuclear explosions for peaceful purposes had been dealt with in a document (A/CONF.35/DOC.2) containing the following conclusion:

"The development of nuclear explosives for peaceful purposes will bring great benefit to mankind. It offers immense promise of adding to man's knowledge of his environment and improving his well-being. More, it works for mankind as an answer to the increasing demand for energy, water, minerals, transportation links and food supply."

Since one important aim of the international community was the complete cessation of all nuclear weapon testing, nuclear explosions should in the first instance be totally prohibited for all States, including nuclear-weapon and non-nuclear weapon States alike. The
question of nuclear explosions for peaceful purposes was logically and directly linked to that of a comprehensive test-ban treaty and should be considered in conjunction with it. The eight non-aligned States members of the Eighteen-Nation Committee on Disarmament had emphasized that link in their joint memorandum of 26 August 1968 (ENDC/235) and had underlined "the urgency of a universal and comprehensive solution of the problem of nuclear explosions for peaceful purposes in the context of a comprehensive test ban treaty." It had lately been suggested that the Treaty banning nuclear weapon tests in the atmosphere, in outer space and under water would need to be modified in order to permit the development of the technology of nuclear explosions for excavation projects. In the Indian delegation's view, such development should be sought through a comprehensive test-ban treaty and not through any amendment of the partial test-ban Treaty.

The establishment of an international régime in the matter of nuclear explosions for peaceful purposes could provide a solution to the problem of developing such technology on a non-discriminatory basis for the benefit of mankind and particularly of the developing nations of the world. The Government of India considered IAEA eminently qualified to assume responsibility in the matter because it had been established to promote the peaceful uses of nuclear energy and to prevent its use for military purposes. A control mechanism to govern nuclear explosions for peaceful purposes should be based on the principles that States conducting such explosions should give advance notice to IAEA, should indicate the precise purpose of each projected nuclear explosion, and should permit full international inspection in order to avoid radiation hazards and to prevent all stockpiling of nuclear devices and their use for military purposes.

He supported the draft resolution submitted by Sweden (A/CONF.35/C.2/L.10). In his view, however, preambular paragraph (c) of the draft resolution was obscure and its wording should be improved.

He fully agreed with the ideas expressed in the draft resolution submitted by Argentina, Brazil and Peru (A/CONF.35/C.2/L.2).

He considered that the sponsors of those two draft resolutions should consult together with a view to preparing a single text.
Mr. Edelstam (Sweden) introduced his delegation's draft resolution, which expressed the opinion that the question of nuclear explosions for peaceful purposes was closely linked with a comprehensive test ban. He was prepared to enter into discussions with other representatives regarding the final form that draft resolution should take.

Mr. Azeredo da Silveira (Brazil) introduced, on behalf of the delegations of Argentina, Peru and Brazil, the draft resolution submitted by the three countries.

The purpose of the draft resolution was to ensure for non-nuclear-weapon States full access to the benefits to be derived from the peaceful application of nuclear explosions. In recent years, highly significant research programmes such as the "Plowshare" programme had shown that it would soon be possible to solve, by the application of nuclear energy, what had hitherto been considered insoluble problems in the mining industry and in major engineering projects. It was therefore important that the Conference should establish machinery through which the immense nuclear potential could be harnessed to serve peace and economic development. In virtue of its experience, IAEA was the appropriate agency to ensure international co-operation in nuclear matters. For that reason, the draft resolution requested the United Nations General Assembly to recommend the convening of a special General Conference of IAEA to be held during the year 1969 for the purpose of considering the establishment, within IAEA, of a department for the peaceful application of nuclear explosives, to be provided for in a Protocol to the Statute of the Agency. That Protocol should include two main provisions, which appeared in sub-paragraphs (a) and (b) of the operative part of the draft resolution.

The establishment of a department for the peaceful application of nuclear explosions would be one of the means of bringing the obligations of the nuclear Powers and those of non-nuclear-weapon States into balance. Such a department would provide the setting for a general policy of horizontal and vertical non-proliferation of nuclear weapons.

The sponsors of the draft resolution were ready to consider any suggestions from the members of the Committee.
Mr. ENCINAS DEL PANDO (Peru), speaking as a sponsor of the draft resolution (A/CONF.35/C.2/L.9), fully associated himself with the explanations given by the representative of Brazil. For countries like Peru, with a complicated topography, the peaceful applications of nuclear explosions to basic engineering projects were of extreme importance. The main use of nuclear energy should be to accelerate the development of countries and regions faced with problems that could not be solved by conventional methods. Injustices of any kind which divided the countries of the international community should be eliminated.

The provisions of the draft resolution were not incompatible with the international commitments entered into by certain States. They were in no way inconsistent with the clauses of the Treaty on the Non-Proliferation of Nuclear Weapons or those of the Treaty for the Prohibition of Nuclear Weapons in Latin America. The draft resolution left untouched the provisions of article III of the Non-Proliferation Treaty under which "Each non-nuclear-weapon State Party to the Treaty undertakes to accept safeguards, as set forth in an agreement to be negotiated and concluded with the International Atomic Energy Agency in accordance with the Statute of the International Atomic Energy Agency and the Agency's safeguards system, for the exclusive purpose of verification of the fulfilment of its obligations assumed under this Treaty with a view to preventing diversion of nuclear energy from peaceful uses to nuclear weapons or other nuclear explosive devices" and "Each State Party to the Treaty undertakes not to provide: (a) source or special fissionable material, or (b) equipment or material especially designed or prepared for the processing, use or production of special fissionable material, to any non-nuclear-weapon State for peaceful purposes, unless the source or special fissionable material shall be subject to the safeguards required by this article".

Furthermore operative sub-paragraphs (a) and (b) were consistent with the provisions of article V of the Non-Proliferation Treaty.

The meeting rose at 11.20 a.m.
SUMMARY RECORD OF THE THIRTEENTH MEETING

held

on Monday, 23 September 1968, at 3.15 p.m.

Chairman: Mr. NABWERA Kenya
Rapporteur: Mr. Alfonso SANTA CRUZ Chile
PROGRAMMES FOR CO-OPERATION IN THE FIELD OF PEACEFUL USES OF NUCLEAR ENERGY (agenda item 14):


(c) THE QUESTION OF NUCLEAR EXPLOSIONS FOR PEACEFUL USES (A/CONF.35/L.10) (continued)

(d) BENEFITS FROM PEACEFUL APPLICATIONS OF NUCLEAR EXPLOSIONS TO NON-NUCLEAR-WEAPON STATES WHICH HAVE RENOUNCED THE PRODUCTION, ACQUISITION AND USE OF NUCLEAR WEAPONS PURSUANT TO SPECIAL INTERNATIONAL AGREEMENT OR AGREEMENTS THROUGH AN APPROPRIATE INTERNATIONAL BODY OR THROUGH BILATERAL ARRANGEMENTS (continued)

Mr. Servant (International Atomic Energy Agency (IAEA) gave details of the quantities of source fissile materials and special fissile materials which IAEA was able to supply. Governments had made 5,140 kg of uranium 235 available to IAEA. The total volume of materials was much greater since it was usually a question of only slightly enriched materials. Of that total, the United States had supplied 5,070 kg, the USSR 50 kg and the United Kingdom 20 kg. The United States had also put 5 kg of uranium 233 and 3 kg of plutonium at the disposal of the Agency. The United States had indicated its readiness to supplement its contribution by matching any additional contributions made by other countries. France had also supplied small quantities of plutonium through the intermediary of the Agency. The United States had made uranium 235 available to the Agency and its member States at the price prevailing on the United States domestic market. The USSR supplied uranium 235 at the lowest international price in force at the date of delivery. The United Kingdom supplied uranium 235 to the Agency at the price charged to any overseas customer.

Since 1961, The Agency had been able to carry out 65 transactions relating to special fissile materials, i.e. enriched uranium or plutonium, the suppliers being the United States, the United Kingdom,
the USSR and France and the recipient countries Greece, Yugoslavia, Pakistan, Turkey, Mexico, Finland, Norway, the Congo, Austria, Argentina, Romania, Iran, the Philippines, Viet-Nam, Spain and Uruguay. Most of those transactions involved small quantities of material for research purposes. About half the amounts supplied had been contributed gratis by the supplying country. The Agency still had more than 5,000 kg of uranium 235 at its disposal.

Source materials such as natural uranium and thorium had also been offered to the Agency, usually at market prices, by Belgium, Canada, Ceylon, Czechoslovakia, India, Portugal, South Africa and Sweden. The United States and the United Kingdom had also contributed. In eight transactions, a quantity of about 8,000 kg of natural uranium had been supplied to Japan, the United Arab Republic, Mexico and Finland.

Under its Statute, the Agency was to supply source materials and special fissionable materials to any member State, on request, pursuant to articles IX, XII and XIII. According to the preferences of the supplying and recipient countries, the Agency was empowered to organize a direct transfer between them or alternatively to act as supplier. Requests for materials could be made at any time in the year but had to be submitted to the Board of Governors for consideration, in accordance with those articles of the Statute. Once a project had been approved by the Board, it was necessary to conclude an agreement pursuant to article XI-F of the Statute. The Director General of the Agency nevertheless wished to point out that, on 20 September, 1968, the Governors had decided to simplify the procedure relating to requests for small supplies of materials for research purposes. In future, the Director would be authorized to comply with such requests immediately, without referring them to the Board of Governors. That new delegation of powers would help the Agency to meet research needs more rapidly and efficiently.

Mr. NYIRENDA (Zambia) noted that under articles III, IV and V of the Treaty on the Non-Proliferation of Nuclear Weapons, the supply of source materials and special fissionable products would be guaranteed to any country which had ratified that Treaty. Member countries of the Agency were already supplied with such materials, on request, under article III of the IAEA Statute. The Treaty would thus tend
to restrict supplies of those materials to countries which were parties to the Treaty. He wished to have precise details on that point, as they could have a bearing on the relationships to be established between the procedures of the Agency and the methods of applying the Treaty on Non-Proliferation.

Mr. SERVANT (International Atomic Energy Agency) said that all States members of the Agency were entitled to make use of its means and resources, particularly with respect to technical assistance.

Moreover, the Agency was obliged, under its Statute, to allocate its resources in such a way as to ensure their effective utilization and a maximum yield in all parts of the world, with due regard for the special needs of the underdeveloped regions. In the case of technical assistance, that meant in practice that the Agency was exclusively concerned with the developing countries.

It should also be noted that, under the United Nations Development Programme (UNDP), the Agency was empowered to grant assistance to countries which were not necessarily members of IAEA, provided that they met the criteria of the Programme in that they were in the process of economical development and were members of the United Nations or a specialized agency.

Mr. OGISO (Japan) introduced the draft resolution (A/CONF.35/C.2/L.4/Rev.1) amalgamating three draft resolutions submitted respectively by Switzerland (A/CONF.35/C.2/L.1), Japan (A/CONF.35/C.2/L.4) and Denmark, Finland, Norway and Sweden (A/CONF.35/C.2/L.7).

The sole innovation was the incorporation, in the sixth preambular paragraph, of an idea strongly held by several African countries, which had formulated it themselves in the draft resolution in document A/CONF.35/C.2/L.8.

Mr. USMANT (Pakistan) introduced a draft resolution A/CONF.35/C.2/L.3/Rev.1) constituting a revised version of the draft previously submitted by his delegation.

In the first preambular paragraph the Pakistan delegation set out an idea of considerable importance to the non-nuclear-weapon States, namely that they should have freedom of access to scientific institutions and nuclear establishments engaged in research and development of the peaceful uses of nuclear energy.
The first version of the draft resolution had given rise to criticism on the question of technical assistance; in particular, it had been considered too negative. His delegation had therefore reduced the five classes of State which it had set out in the first version of its draft to only two classes, namely States which were signatories to the Non-Proliferation Treaty and States which had not signed the Treaty but had accepted the application of the system of IAEA safeguards. The draft resolution was based on two essential principles, namely non-proliferation, which must be accepted by all, and non-discrimination in providing technical assistance. Those two principles might sometimes conflict in the case of a country giving assistance, which must be able to be sure that in avoiding discrimination it was not infringing the principle of non-proliferation. The countries receiving assistance must therefore fall into one or other of the two classes.

Mr. de León (Mexico) introduced a draft resolution (A/CONF.35/C.2/L.13) amalgamating draft resolutions which had been submitted by Latin American countries (A/CONF.35/C.2/L.9 and A/CONF.35/C.2/L.12).

Some delegations believed that it was too optimistic to think that an international service for nuclear explosions for peaceful purposes could be of any immediate use. The delegations submitting the draft resolution were not unaware of the difficulties, which would long persist. It would, however, be useful to negotiate as soon as possible the drafting of international procedures to which recourse should be had as soon as it was possible to gain any practical benefit from nuclear explosions for peaceful purposes. Indeed, that was the implication of the statements on that point made to the Eighteen-Nation Committee on Disarmament on 31 May and 6 June 1968 by the representatives of the USSR, the United States of America and the United Kingdom. In the view of those delegations, agreements should be negotiated before the Non-Proliferation Treaty entered into force, securing for the non-nuclear States parties to the Treaty the benefit of nuclear explosions for peaceful purposes. It was therefore in no way premature to give the matter active consideration at the present juncture. The idea expressed in the draft resolution that the question of nuclear explosions for peaceful purposes should be studied first by the General Assembly of the United Nations was based on the fact that that question was closely
linked with the problem of the control of armaments, which was essentially a political matter. Further, the Swedish draft resolution (A/CONF.35 C.2/L.10) referred to the joint memorandum on a Comprehensive Test Ban Treaty presented on 26 August 1968 to the Eighteen-Nation Committee on Disarmament by the eight non-aligned members of the Committee, and one of the conclusions of the Memorandum was certainly that the question of nuclear explosions for peaceful purposes was linked with the preparation of a comprehensive test ban treaty. That being so, the sponsors of draft resolution A/CONF.35/C.2/L.13 had not wished to refer to IAEA by name, but it would be the body technically competent with regard to nuclear explosions for peaceful purposes, since it was the General Assembly of the United Nations that could assess the political aspects of the problem, in particular the security aspect, with all the information before it.

Likewise, to obviate controversy, the sponsors had not wished, either, to speak of States "parties to the Non-Proliferation Treaty" and had preferred to mention States "which have renounced" nuclear weapons, but that wording did not prejudge the form which the comprehensive renunciation of the proliferation of nuclear weapons might take.

In the English version of operative paragraph 3 it should be an "International Service", not an "International Department". In operative paragraph 5 the symbol number of the working paper submitted by the Italian delegation should be A/CONF.35/C.2/2.

Mr. BETTINI (Italy) submitted a draft resolution (A/CONF.35/ C.2/L.11) the terms of which were already familiar to the Committee Members, as it had been attached as an annex to the working paper submitted by his delegation on 9 September (A/CONF.35/C.2/1).

Italy proposed the setting up of a Special Committee because it was persuaded of the necessity of continuing the discussion begun in the Conference. The machinery his delegation recommended would not encroach on the domains of existing bodies. The main functions of the Special Committee for the peaceful uses of nuclear energy would be to co-ordinate the work of all interested bodies and agencies, such co-ordination being indispensable in view of their number, and to promote necessary action for the implementation of the conclusions of the Conference.
His delegation was prepared to consider any suggestions in regard to the machinery it proposed, on the condition that machinery would in fact be established to ensure the continuation of work begun at the Conference. A draft resolution to the same effect had also been submitted to Committee One.

His delegation supported draft resolution A/CONF.35/C.2/SR.13 on nuclear explosions for peaceful purposes, just submitted by the representative of Mexico. It thanked the sponsors for taking into account the working paper it had submitted on that question.

The meeting was suspended at 4.5 p.m. and resumed at 4.45 p.m.

Draft resolution A/CONF.35/C.2/L.2/Rev.1 and Add.1

Mr. USMANI (Pakistan) fully endorsed the draft resolution.

In order to take regional needs into account, he proposed that the words "in different regions of the world" should be inserted in operative paragraph 1 after "nuclear technology".

Mr. GONZALEZ de LEON (Mexico) announced that following various suggestions made in the course of informal discussion, in particular by Australia and Japan, which would like the proposed committee of experts to maintain close liaison with IAEA, the sponsors of the draft resolution intended to insert a new paragraph 2 reading: "Recommends the Secretary-General to draw the attention of the group of experts to the desirability of taking advantage of the experience of the International Atomic Energy Agency in preparing the report;".

Mr. de AZAMBUJA (Brazil) said that in order to allow for certain suggestions, the sponsors had also agreed to amend the present operative paragraph 2 (which would become paragraph 3) to read: "...to transmit the report to the Governments of States Members of the United Nations, the specialized agencies and IAEA in time to permit its consideration ..."

Mr. CAMPBELL (Canada) supported the draft resolution as amended by two of its sponsors, Mexico and Brazil.

He wondered if it would not be advisable to define as "concise" the report to be prepared, in order to make it easier for non-technicians to understand.

Mr. THOMAS (Australia) requested that the words "if possible" should be inserted in operative paragraph 3 before the words "in time
to permit its consideration".

Mr. GONZALEZ de LEON (Mexico) pointed out that the sponsors of the draft resolution were anxious that the report should be drawn up as quickly as possible. Even if it was not finished, the parts of the report that were ready should be considered by the General Assembly at its twenty-fourth session. The addition of the words "if possible" would render the presentation of the report problematical.

Mr. THOMAS (Australia) said he would not press the point.

Draft resolution A/CONF.35/C.2/L.4/Rev.1

Mr. RANTSCH (Federal Republic of Germany) supported the draft resolution. He suggested that the sixth preambular paragraph should be modified to obtain a more equitable contribution. He also suggested that the phrase "or of such safeguards as are envisaged in article III of the Non-Proliferation Treaty" should be added at the end of the last paragraph of part III.

Mr. LENDVATI (Hungary) proposed that the third paragraph of part I should be amended to read: "Invites the nuclear-weapon States to keep under continuous review the need for classification of specific items of scientific and technical information essential for the development of specific items of scientific and technical information essential for the development of peaceful uses of nuclear energy bearing in mind the economic and scientific benefit to be derived from maximizing the flow of information;". He suggested that the clause inviting the nuclear-weapon States to communicate to the Agency a list of classified scientific and technical information should be deleted, because those States would either furnish incomplete lists, which would therefore be of little use, or no lists at all.

Mr. BETTINTI (Italy) supported the suggestions made by the representative of the Federal Republic of Germany. He could not yet take a position on the Hungarian representative's suggestion. He proposed that the phrase "in relation to the implementation of article V of the Treaty" occurring at the beginning of part IV should be deleted, since the Agency would have greater importance if the task entrusted to it in part IV was independent of the Treaty.

Mr. USMANTI (Pakistan) suggested that the third paragraph of part I should be drafted to read: "Invited the nuclear-weapon States
to keep under continuous review the need for declassification of nuclear technology, bearing in mind the economic and scientific benefit to be derived from maximizing the flow of information, and for the development of the peaceful uses of nuclear energy;”.

Mr. de AZAMBUJA (Brazil) said that, broadly speaking, his delegation agreed with the draft resolution in so far as the fundamentals were concerned. However, some parts of the draft overlapped with other draft resolutions. In particular, part IV directly overlapped with draft resolution A/CONF.35/C.2/L.13. It had some misgivings about part V relating to the question of the composition of the Board of Governors of IAEA, and considered that the idea regarding the need to enlarge the membership of the Board of Governors so as to reflect a more equitable geographical distribution and ensure greater representation of the developing countries had been better expressed in the draft resolution submitted by the African countries (A/CONF.35/C.2/L.8 and Add.1 and 2). In its opinion, fresh consultations between the delegations interested in the matter would be useful.

Mr. ASANTE (Ghana) agreed with the suggestion made by the representative of Brazil. Taking account of the views expressed by the developing countries in the organs of the United Nations Conference on Trade and Development (UNCTAD) and elsewhere on the transfer of technology, he suggested that the word "purchase" in the last line but one of the second paragraph of part I should be replaced by the word "acquisition".

Mr. VERKADE (Netherlands) supported the proposals made by the representative of the Federal Republic of Germany.

Mr. NYIRENDA (Zambia) said that his delegation could not accept the draft resolution in its present form because it did not reflect the views which the African countries had expressed in their draft resolution. In particular, the recommendation contained in the operative paragraph of the latter draft should have been embodied in part V of the draft resolution under discussion. The present text of part V was not clear. His delegation supported the Italian representative's suggestion that the reference to article V of the Treaty in part IV of the draft should be deleted. It also proposed that the last line of part V should be amended to read: "... with a view to
"adapting them as necessary in the light of its responsibilities". It thought that the interested delegations should hold informal conversations with a view to drafting a compromise text.

Mr. CAMPBELL (Canada) supported the Hungarian proposal concerning the third paragraph of part I.

With respect to part IV, he thought it indispensable to retain the phrase "in relation to the implementation of article V of the Treaty" because the nuclear Powers would be obliged to make available the benefits mentioned in that article and the Agency would be able to undertake the task envisaged for it only when the Treaty had entered into force.

Mr. KONSTANTINOV (Bulgaria) supported the Hungarian amendment to the third paragraph of part I. With respect to the proposal made by the representative of the Federal Republic of Germany concerning the second paragraph of part III, he preferred the present text of the draft resolution, which reflected reality. Furthermore, the Agency's Safeguards System conformed to article III of the Treaty; insertion of the phrase proposed by the representative of the Federal Republic of Germany would result in redundancy. The Bulgarian delegation shared the Canadian representative's opinion regarding the Italian proposal that the reference to article V of the Treaty in part IV should be deleted.

Mr. THOMAS (Australia) supported the Hungarian amendment. He thought that both that amendment and the Pakistani amendment should be taken into consideration in formulating a revised version of the draft resolution.

With respect to the question of the composition of the Board of Governors, he preferred the text of the draft resolution under discussion to that of the recommendation contained in the draft resolution of the African countries because the matter was highly complex and the Conference could do no more than request the Agency to examine the question of the composition of its Board of Governors.

Mr. BEBE a DON (Cameroon) said he regretted that the sixth preambular paragraph of the draft resolution concerning the membership of the Agency's Board of Governors was not as clear as the draft resolution of the African countries. Furthermore, part V of the draft
had little meaning. It would be advisable for the sponsors of the
draft resolution to consult with the other interested representatives
in order to find an acceptable formulation.

Mr. KRISHNAN (India) said he agreed that part V of the draft
which dealt with a crucial matter, was somewhat unclear and should be
amended. The third paragraph of part I should be drafted in accord-
ance with the Hungarian and Pakistani proposals.

Mr. EL GUERRELY (United Arab Republic) said he supported the
Hungarian and Pakistani proposals with respect to the third paragraph
of part I. Part IV concurred with the views of the United Arab Re-
public delegation, which thought that the reference to article V of
the Non-Proliferation Treaty must be retained. Part V, which dealt
with a vital matter, should be amended along the lines of the draft
resolution of the African countries on the same question.

Mr. OTERO NAVASCUES (Spain) said he thought that the third
paragraph of part I should be retained as it stood, reminding the
nuclear-weapon States of their obligations towards the non-nuclear-
weapon States.

Mr. EDELSTAM (Sweden) pointed out that certain difficulties
might be involved in merging the draft resolution under discussion
with the draft resolutions of the African countries and the Latin
American countries to form a single text, as some representatives had
proposed. It was indispensable that the Treaty on Non-Proliferation
should be mentioned in the draft resolution under discussion because
of the new tasks which would be entrusted to the Agency in relation to
the implementation of the Treaty. The Treaty was not, however, men-
tioned in either of the other draft resolutions. Sweden could not
associate itself with the submission of a draft resolution which fail-
ed to mention the Non-Proliferation Treaty.

Mr. SOLE (South Africa) said he recognized that certain pro-
visions of the draft resolution under discussion duplicated those in
other drafts; that was, however, of only slight importance in view of
the fact that the resolutions adopted by the Conference would be re-
ferred to the General Assembly and might be further amended.

Mr. GONZALEZ de LEON (Mexico) drew attention to a contra-
diction between the draft resolution under discussion and draft
resolution A/CONF.35/C.2/L.13. By the terms of the former, IAEA would be requested to study procedures to be followed with respect to nuclear explosions for peaceful purposes, while under the terms of the latter, the General Assembly would undertake that task. The Statute of the Agency should also be mentioned in the first preambular paragraph of the draft resolution under discussion since part V of the draft dealt with the composition of the Board of Governors and therefore implied an amendment to that Statute. Furthermore, the sixth preambular paragraph was not entirely precise; the problem was less one of achieving an equitable geographical distribution than one of ensuring broader representation for the developing countries. Part V of the draft had little meaning; the word "recommends" should be used instead of the words "expresses its assumption".

Mr. ASANTE (Ghana) said he thought that the sponsors of the draft resolution should consult together in order to formulate, if possible, a common text.

The CHAIRMAN asked the sponsors of the draft resolution to continue their consultations.

Draft resolution A/CONF.35/C.2/L.3/Rev.1

Mr. USMANI (Pakistan) explained that his delegation had two purposes in view in proposing draft resolution A/CONF.35/C.2/L.3/Rev.1, to ensure access to scientific institutions and nuclear establishments engaged in research and development of the peaceful uses of nuclear energy and to restrict such access and the exchange of equipment, materials and scientific information to the States signatories of the Treaty on the Non-Proliferation of Nuclear Weapons and to the States which accepted safeguards to prevent the diversion of source or fissionable materials under an agreement to be negotiated and concluded with IAEA.

Mr. URQUIOLA (Philippines) stated that article V of the Non-Proliferation Treaty related exclusively to the parties to the Treaty, whereas the Pakistan draft resolution covered a great many other States in addition. The question was therefore whether article V of the Treaty would be construed as covering these other categories of countries also.
Mr. PAQUI (Dahomey) said that, in his opinion, the draft resolution should be shortened and that it was inexpedient to refer in it to the States signatories of the Non-Proliferation Treaty. Access to the benefits to be derived from nuclear energy should not be restricted to those States. A provision to that effect would constitute an impediment for those States which had not signed the Treaty.

Mr. LENYVAT (Hungary) said he thought that the revised draft resolution was an improvement on the original text but that it contained little that was new. Access to scientific institutions and nuclear establishments, which was the main subject of the draft, could be dealt with in another draft resolution relating, for example, to access to fissionable materials as provided in draft resolution A/CONF.35/C.2/L.4/Rev.1.

Mr. KRISHNAN (India) said that the draft resolution in question was discriminatory and restrictive. It would be the first time that the developing countries themselves had fixed restrictions for technical assistance and access to scientific institutions and establishments. The Pakistan delegation had explained that its purpose was to strengthen the Non-Proliferation Treaty, but the Conference was not a conference of States signatories of the Treaty or a conference intended to strengthen the Non-Proliferation Treaty. The draft resolution was founded on false premises and it was unacceptable to the Indian delegation; it could only result in dividing the Conference. The Pakistan delegation should attempt to incorporate the positive element contained in its draft, which concerned access to scientific institutions and nuclear establishments, in another draft resolution.

Mr. CAMPBELL (Canada) noted that the draft resolution would recommend that States fulfilling certain conditions should have access to scientific institutions, while the others would automatically be excluded. Canada made its scientific institutions accessible without any discrimination and intended to continue with that policy; if the draft was adopted, the effect would be to restrict Canada's freedom of action. The Pakistan delegation had justifiably wished to expand article IV of the Treaty by providing for access to nuclear establishments, but that could have been done by inserting a provision to that effect in draft resolution A/CONF.35/C.2/L.4/Rev.1, for example. As the Indian
representative had pointed out, it was vital to preserve the unity of the Conference.

Mr. RAMISCH (Federal Republic of Germany) said he thought the difficulties caused by the reference to "signatories to the Non-Proliferation Treaty" could be overcome by deleting that reference and using a formula similar to the one employed in article III of the Treaty. The draft resolution could say that assistance would be provided on condition that the recipient States had accepted "safeguards, as set forth in an agreement to be negotiated and concluded with the International Atomic Energy Agency in accordance with the Statute of the International Atomic Energy Agency and the Agency's safeguards system". He referred especially to number 28 (d) of the Agency's safeguards system, which envisaged the acceptance of safeguards other than those of the Agency but generally compatible with them.

Mr. GONZALEZ de LEON (Mexico) pointed out that access to equipment, materials and scientific information, as well as technical and financial assistance in the use of nuclear energy for peaceful purposes, were already covered by other draft resolutions; it was perhaps unnecessary to adopt another resolution on the subject. The Pakistan representative had said that his delegation's purpose in submitting its draft resolution was to strengthen the Non-Proliferation Treaty, but only the nuclear-weapon States could promote the proliferation of nuclear weapons, and there were reasons for thinking that they would do all they could to prevent it. The Pakistan draft resolution therefore added nothing. Moreover, it could be regarded as interference in the internal affairs of the States concerned.

Mr. USMANI (Pakistan) said that he thought he could allay the anxieties expressed by some representatives by dividing the operative part of the draft resolution into two paragraphs. The first paragraph would comprise the first three lines of the existing text, followed by the word "energy", and with the words "for all non-nuclear-weapon States" inserted after the word "access". The second paragraph would read: "Invites all the nuclear-weapon States and those non-nuclear-weapon States which are in a position to do so to provide access to and exchange of equipment, materials and scientific and technological information, or technical or financial assistance, on a non-discriminatory basis provided the recipient non-nuclear-weapon States have
"accepted safeguards as set forth in an agreement to be negotiated and concluded ...", the remainder being unchanged.

The Pakistan delegation could not go further, because it thought it essential that non-nuclear-weapon States receiving technical assistance in connexion with nuclear energy should accept some form of discipline in order to help towards the non-proliferation of nuclear weapons. The draft resolution had been criticized for being too restrictive, but article III, paragraph 2, of the Non-Proliferation Treaty itself stipulated that States Parties to the Treaty undertook not to provide source or special material, or equipment intended for the use or production of such material, to any non-nuclear-weapon State, unless the source or special material was subject to the safeguards required by that article. It was true that that article only dealt with source or special material, but the safeguard system provided for in paragraph 1 of the article had to be expanded. The Pakistan delegation did not think that a non-nuclear-weapon State should be able to receive assistance unless it accepted safeguards and some form of discipline.

Mr. BETTINI (Italy) pointed out that under article III of the Treaty, only source or special material was subject to the safeguards system, whereas under the draft resolution even financial assistance would be subject to the acceptance of safeguards. The draft went too far and would expand the safeguards system too much.

The CHAIRMAN requested the Pakistan representative to find a formula acceptable to all.

Draft resolution A/CONF.35/C.2/L.6 and Add.1 and 2

Mr. ZELLEKE (Ethiopia) proposed that in part A, paragraph 2 of the draft resolution, after the words "Board of Governors", the phrase "without prejudice to the existing forms of assistance" should be added.

Mr. CAMPELLE (Canada) said that, although the requests made in the draft resolution were not without merit, nevertheless they should not form the subject of a draft resolution implying that it would be necessary to undertake an assistance programme of considerable magnitude. The resources available for assistance programmes were limited and it would be better to channel them through IAEA, which had been set up for that purpose, rather than to ask other bodies to establish special
programmes. Moreover, the fact that there was also scope for bilateral assistance in that field should not be lost sight of. For example, Canada had concluded bilateral agreements incorporating considerable investments. To sum up, the Canadian delegation could not approve the draft resolution, but that did not, of course, mean that the Canadian Government would in any way change its policy of assistance in the nuclear field.

Mr. Thomas (Australia) said that his delegation supported the draft resolution, which tackled the complex problem of the financing of nuclear energy, in particular in the developing countries, in a common-sense and practical manner.

Mr. Azeredo da Silveira (Brazil) said that the draft resolution was moderate and reasonable. The International Bank for Reconstruction and Development (IBRD) was already concerned with financing electricity programmes and it was therefore appropriate to ask it to concern itself with the financing of the production of electricity by nuclear methods in the developing countries.

Mr. Usmani (Pakistan) said that he found the draft resolution excellent, but he considered that the seventh preambular paragraph should be amended to reflect the fact that the financial resources and fissionable materials should be used to serve the economic development, not only of the developing countries, but of the developed countries not possessing nuclear weapons.

Concerning part A, paragraph 2, he pointed out that not all countries were members of IBRD and that it would therefore be better to say "Requests international organizations and in particular the International Bank for Reconstruction and Development,..." or to use some similar formula. In paragraph 3 of the same part, it was not advisable to leave almost all the responsibility for financing to the nuclear-weapon States; it would be better to word the paragraph in such a way as to include the non-nuclear-weapon States as well as the nuclear-weapon States.

With regard to part B, IAEA already had at its disposal, as the Director General had indicated, a stock of special fissionable materials which had hardly been drawn upon, the reason being that any request for special fissionable materials from IAEA became one of the Agency's
projects and thereby subject to its safeguards system. As for paragraph 2, the nuclear-weapon States had already given undertakings on a bi-
lateral basis in that field; the paragraph ought to make that clear.

Mr. RAMISCH (Federal Republic of Germany) supported the
draft resolution. In his opinion, UNDP and IBRD should participate
in the study and development of nuclear technology and the use of
nuclear energy in economic development projects, particularly where the
developing countries were concerned,

Mr. LENDVAI (Hungary) pointed out that the developing countries
should, in order to speed up their industrial progress, endeavour to
make use of the newest techniques; that was particularly true in the
field of nuclear energy. However, all countries were not convinced
that that was necessary; for example, the representative of one Asian
country had refused, on behalf of his Government, to implement a programme
for the use of radio-isotopes in medicine which had been offered by IAEA;
because, as he had said, of the lack of the necessary means. The im-
plementation of that programme, however, would have made it possible to
wipe out malaria in that country. The socialist countries had under-
taken to supply complete radio-isotope installations for medical pur-
poses to the developing countries through IAEA; the beneficiaries of
that offer had shown interest in it, but implementation of the project
was being delayed by the time required for selecting sites and recruiting
staff.

With respect to nuclear energy, i.e., for the most part electric
power stations and fuel, he pointed out that IAEA still had an unused
quantity of special fissionable materials at its disposal, amounting to
the equivalent of 150 tons of 3 per cent enriched uranium. The
countries which had supplied those fissionable materials to the Agency
had repeatedly asserted that they were prepared to increase that amount
when that became really necessary; if that had not been the case, it
was because no country had expressed the wish to take advantage of that
offer. In that connexion, he recalled the provision of article IV,
paragraph 2, of the Non-Proliferation Treaty, according to which "All
the Parties to the Treaty undertake to facilitate, and have the right
to participate in, the fullest possible exchange of equipment, materials
and scientific and the technological information for the peaceful uses
of nuclear energy".
Several delegations had argued, with respect to safety guarantees, that the obligations undertaken under a Treaty had more weight than mere declarations. He invited the States represented at the Conference to make use of the undertakings quoted, especially since the majority of those States had given their support to the Non-Proliferation Treaty and had expressed their intention to assume certain obligations and to secure all the advantages to be derived from it.

Under its Statute, IAEA was authorized, among other things, to make provision for materials, services, equipment and facilities required for the development and practical application of atomic energy for peaceful purposes, including the production of electric power; article XI of the Statute provided that the Agency, upon request, could also assist any member or group of members to make arrangements to secure necessary financing from outside sources to carry out projects for the development or application of nuclear energy for peaceful purposes.

It was to be feared that the draft resolution, as it was drawn up, might, in spite of the sound reasons behind it, prove to be a cause of disappointment. Certain problems, in particular those of the obligations devolving on nuclear-weapon States, should be considered by the United Nations General Assembly and by the General Conference of IAEA, of which those States were members. It was surely desirable that the nuclear-weapon States should assume the main responsibility for financing the programmes provided for in paragraphs 1 and 2 of section A of the draft resolution and that those States, as recommended in section C, should channel into those programmes and the "Fund of Special Fissionable Materials" a substantial share of such financial resources and materials as might be released as a result of the adoption of nuclear disarmament measures, but the primary condition was that the Non-Proliferation Treaty as a whole should enter into force.

Those points in the draft resolution seemed somewhat premature and, since there was another draft resolution which was likely to facilitate the solution of the most pressing problems, he could not support the draft under discussion.

Mr. de AZAMBUJA (Brazil) said that he had no objection to the amendment proposed by the Ethiopian delegation, but would like to
the other sponsors of the draft resolution on the matter.

Draft resolution A/CONF.35/C.2/L.8 and Add.1 and 2

Mr. ASANTE (Ghana) said that his delegation had begun consultations with the sponsors of the draft resolution with a view to the inclusion of certain amendments in the text of the operative part.

Draft resolution A/CONF.35/C.2/L.10

Mr. ZELLEKES (Ethiopia) said that he approved the text of the draft resolution, which was based on the same principles as the joint memorandum submitted to the Eighteen-Nation Committee on Disarmament by the delegations of the non-aligned countries (ENDC/235). He proposed a drafting change: the addition of the word "also" between "is" and "linked" in the second line of the operative part.

Mr. OTERO NAVASCUES (Spain) said that he supported the draft resolution; its adoption would be a step towards the achievement of the objectives of the Non-Proliferation Treaty.

Mr. CAMPBELL (Canada) said that he, too, was prepared to approve the text, subject to certain drafting changes.

In the last line of the operative part, he proposed that the words "in the context of a comprehensive test ban treaty" should be replaced by the words "compatible with a comprehensive test ban treaty". Preambular paragraph (c) might be replaced by the following text:

"Noting that under article V of the Non-Proliferation Treaty each Party undertakes to take appropriate measures to ensure that, under appropriate international observation and through appropriate international procedures, potential benefits from any peaceful applications of nuclear explosions will be made available to non-nuclear-weapon States Party to the Treaty on a non-discriminatory basis, and that they may obtain such benefits, pursuant to a special international agreement or agreements, through an appropriate international body with adequate representation of non-nuclear-weapon States".

Mr. LENCKAI (Hungary) said that he approved the draft resolution, but proposed that in the third line of preambular paragraph (d) the words "in a separate international instrument" should be deleted.

The text of the operative part should read: "Endorses the opinion expressed in that document that the question of nuclear explosions for
peaceful purposes urgently calls for a universal and comprehensive solution."

Mr. EL GUEBILY (United Arab Republic) said that he supported the proposals of the Canadian and Hungarian representatives.

Mr. KRISHNAN (India) expressed the hope that consultations between the Swedish representative, who was sponsoring the draft resolution, and the sponsors of amendments would enable a text acceptable to the Committee to be prepared.

The meeting rose at 7.45 p.m.
SUMMARY RECORD OF THE FOURTEENTH MEETING

held

on Tuesday, 24 September 1968, at 11.15 a.m.

Chairman:  Mr. NABWERA  Kenya

Rapporteur:  Mr. Alfonso SANTA CRUZ  Chile
PROGRAMMES FOR CO-OPERATION IN THE FIELD OF PEACEFUL USES OF NUCLEAR ENERGY (agenda item 14):


(c) THE QUESTION OF NUCLEAR EXPLOSIONS FOR PEACEFUL USES (continued)

(d) BENEFITS FROM PEACEFUL APPLICATIONS OF NUCLEAR EXPLOSIONS TO NON-NUCLEAR-WEAPON STATES WHICH HAVE RENOUNCED THE PRODUCTION, ACQUISITION AND USE OF NUCLEAR WEAPONS PURSUANT TO SPECIAL INTERNATIONAL AGREEMENTS OR AGREEMENTS THROUGH AN APPROPRIATE INTERNATIONAL BODY OR THROUGH BILATERAL ARRANGEMENTS (A/CONF.35/C.2/L.13 and Corr.1) (continued)

Draft resolution A/CONF.35/C.2/L.11

Mr. de AZAMBUDA (Brazil) informed the Committee that the group of Latin American countries, which had in plenary session submitted a draft resolution (A/CONF.35/L.3) on the same subject as the draft submitted to the Committee by Italy (A/CONF.35/C.2/L.11), was consulting the Italian delegation with a view to the preparation of a joint text. In view of the very general nature of the subject, which covered all the efforts of the Conference and its future work, the group of Latin American countries considered that the Conference should deal with the text in plenary meeting and therefore proposed that the Committee should refrain from discussing the Italian draft resolution.

Mr. BEITINI (Italy) confirmed that his delegation was considering, with the group of Latin American countries, the preparation of a new text to be submitted to the plenary meeting. It was therefore not asking for its draft resolution to be considered by the Committee.


Mr. CAMPELL (Canada) said his Government was convinced that the machinery by which the non-nuclear-weapon States parties to the Non-Proliferation Treaty might have access to the benefits of the peaceful applications of nuclear explosions should be established
within the frame of the International Atomic Energy Agency (IAEA). The Committee would recall that he had indicated, at the 10th meeting, what he thought IAEA's role should be in that connexion.

The Canadian Government further believed that the provisions of article V of the Treaty on the Non-Proliferation of Nuclear Weapons could not preclude the opening of preliminary discussions before the Treaty entered into force; that would be all the more desirable because a great deal of work would have to be done before a conference could be convened to start formal negotiations.

His Government was not convinced that convening a special conference would be the best way of making progress; it could not, in any event, be convened before the Non-Proliferation Treaty came into force.

With regard to the special draft international agreement mentioned in operative paragraph 1 of the Latin American draft resolution (A/CONF.35/C.2/L.13 and Corr.1), he feared that the present wording might restrict the scope of such agreements too narrowly. He had already suggested in connexion with the working document submitted by Mexico (A/CONF.35/DOC.15), what the purpose of any such agreement should be,

His delegation thought it was unrealistic to try to separate the application of the Non-Proliferation Treaty from the question of access by the non-nuclear-weapon countries parties to the Treaty to the benefits of the peaceful applications of nuclear explosions. He drew attention to the fact that article V of the Treaty had been drafted in the Eighteen-Nation Committee on Disarmament and emphasized that the two questions had never previously been considered separately.

Mr. LENDVÁI (Hungary) noted with satisfaction that the draft resolution, which usefully replaced two previous drafts (A/CONF.35/C.2/L.9 and A/CONF.35/C.2/L.12), did not propose the establishment of an entirely new and separate body. He considered that IAEA was the appropriate body to deal with all questions relating to nuclear explosions for peaceful purposes. The Hungarian delegation could not, however, give its full support to the present text of the draft resolution. He was not convinced that, as stated in the third preambular paragraph, all the benefits of the peaceful applications of nuclear explosions should be accessible to all non-nuclear-weapon States which had renounced
nuclear weapons. Furthermore, the name given to the body whose establishment was proposed in operative paragraph 1 was not very satisfactory. It appeared that it was intended to be a very special body which would be vested with very special privileges and would have very special obligations. No such body was provided for, however, in IAEA's Statute. That did not mean that the Hungarian delegation regarded the Agency's Statute as sacrosanct, but he could not see the call for urgency in supplying States which had renounced nuclear weapons with the services of nuclear explosions for peaceful purposes that might be needed by them for carrying out a particular project. Nuclear explosions for peaceful purposes did not at present have all the necessary safeguards for safety, and, indeed, the nuclear-weapon States themselves were somewhat hesitant about using nuclear explosions, although they had devoted huge sums and years of efforts and research to them. It therefore seemed premature, to say the least, to make major changes in the structure of IAEA which would entail considerable expenditure. In any event, it was important to adhere strictly to the terms of the Treaty on the Non-Proliferation of Nuclear Weapons, which provided that all non-nuclear States parties to the Treaty, not merely those which had renounced nuclear weapons, should gain the benefits referred to in article V of the Treaty.

The Hungarian delegation would like to think that the sponsors of the draft resolution had not intended to draw a distinction between States which assumed legal obligations under international instruments and those which enjoyed benefits without assuming such obligations.

The Hungarian delegation wished to make it clear that it did not approve of the views expressed in the working document prepared by Mexico and the paper submitted by the Italian Delegation (A/CONF.35/C.2/3) referred to in operative paragraph 5 of the draft resolution and therefore was opposed to the transmission of those documents to the the Secretary-General.

Mr. URQUIOLA (Philippines) said that his delegation appreciated the general motives of the sponsors of the draft resolution. Nevertheless, it associated itself with the Canadian representative's comment that the special conference mentioned in operative paragraph 3 could not be convened before the Non-Proliferation Treaty had entered into
force and that the provisions of the services referred to in paragraph 2 should be within the context of article V of the Treaty.

Mr. THOMAS (Australia) agreed with the comments of the previous speakers. He said that IAEA, which had acquired considerable experience in technical and economic fields, would be better qualified than the General Assembly to deal with the question; it would be able to solve it more rapidly and more satisfactorily.

The Australian delegation also considered that the body whose function would be to see that the non-nuclear-weapon States Parties to the Non-Proliferation Treaty had access to the benefits of nuclear explosions should be set up within the framework of IAEA, but did not think that it was necessary to convene a special conference for that purpose. It regretted that the draft resolution neglected the possibility, envisaged in article V of the Non-Proliferation Treaty that the States concerned might, if they so desired, obtain such benefits pursuant to bilateral agreements.

Mr. EL GUBREILY (United Arab Republic) associated himself with the previous speakers' comments. Since the draft resolution dealt with the benefits from nuclear explosions and the renunciation of nuclear weapons and explosive nuclear devices, the text should be related to article V of the Non-Proliferation Treaty.

His delegation fully supported the idea of establishing a special department within IAEA, but thought that it was premature to go into details; the technology of nuclear explosions was not sufficiently developed and it would be wiser simply to call for a study of the various aspects of the implementation of article V of the Treaty as was envisaged in draft resolution A/CONF.35/C.2/L.4/Rev.1.

Mr. OTERO NAVASQUEZ (Spain) said that his delegation fully supported draft resolution A/CONF.35/C.2/L.11. In a field of such importance for the non-nuclear-weapon countries, it was advisable to proceed cautiously. The legal and technical competence of IAEA provided a very secure guarantee that those countries would derive the greatest possible benefits from the facilities which the nuclear Powers could share with them.

Mr. SOLE (South Africa) observed that if the suggested conference was convened by the General Assembly, it would have to report
to the latter, and there would then be further discussion in the General Assembly which would result in recommendations addressed to IAEA. Such a procedure would obviously lead to a considerable loss of time and it would seem more logical for the matter to be dealt with directly by the General Conference of IAEA.

Mr. BETTINI (Italy) said that his delegation wholeheartedly supported the draft resolution. He pointed out that the word "Department", whose use in operative paragraph 1 of the English text had been criticized, was merely an unsatisfactory translation of the Spanish "Servicio".

With reference to that paragraph, the Italian delegation considered that a distinction should be made between the explosive itself, which for the present must remain within the hands of the nuclear Powers and civil engineering projects, which need not necessarily be supervised by those Powers. As a result, the paragraph should be understood as meaning that countries benefiting from the services must be able to choose freely the enterprise to which they will give responsibility for carrying out their projects.

The Italian delegation was grateful to the sponsors of the draft resolution for having mentioned the working paper which it had submitted; it would be desirable, in its view, for that document and the one submitted by the Mexican delegation to be transmitted to the Secretary-General.

The proposed conference should be held as soon as possible, for its convening was not necessarily linked with the entry into force of the Treaty on the Non-Proliferation of Nuclear Weapons. The draft resolution did not mention that Treaty and, furthermore, it had been made clear that international negotiations concerning the implementation of the provisions of Article V might be begun before the entry into force of the Treaty. Moreover, the date of the entry into force of the Treaty could not be foreseen.

He recalled a statement made in the General Assembly by the Italian delegation and approved by the Italian Parliament. So long as the technology of nuclear weapons was not clearly distinct from the technology of nuclear explosions for peaceful purposes, an
international service or international negotiations were indispensable; when such a distinction had been definitely established, each country should be free to carry out the explosions it needed with its own means.

Mr. Nyikenda (Zambia) congratulated the sponsors of the draft resolution. Once again, the countries of Latin America had made a very positive contribution to the work of the Conference. His delegation did not see why the question of the access of non-nuclear-weapon States which were parties to the Treaty to the benefits from nuclear explosions should be necessarily connected with that of the entry into force or implementation of the Treaty.

Mr. de Azambuja (Brazil) said that he had very little to add to what had been said at the 13th meeting by the representative of Mexico, who had very pertinently recalled statements made in the Eighteen-Nation Committee on Disarmament by the representatives of the United States and Soviet Union.

The Brazilian delegation thought that the question of nuclear explosions should first be considered by the United Nations General Assembly before being taken up by IAEA. Moreover, that question did not arise solely from the Treaty on the Non-Proliferation of Nuclear Weapons. The Agreement signed by the countries of Latin America also referred to it. With regard to the date on which the Treaty might enter into force, Brazil did not share the pessimism of certain countries and intended to request the General Assembly, at its twenty-third session, to urge the signatory countries to ratify the Treaty without delay.

His country did not think that nuclear explosions would be used in the very near future, but considered that the juridical foundations for their use should be prepared immediately.

Draft resolution A/CONF.35/C.2/L.5/Rev.2

Mr. Otero Navascues (Spain) said that he supported the new version of the Pakistan draft resolution (A/CONF.35/C.2/L.5/Rev.2). In his view, it constituted an excellent basis for ensuring for countries, in particular the developing countries, access to the benefits from the utilization of nuclear energy.
Mr. CAMPBELL (Canada) was glad to say that the second revised version of the draft resolution removed the objections which he had had to the earlier versions.

Mr. SOLE (South Africa) recalled that his country, which was a member of IAEA, had consistently pleaded in the Agency, unfortunately without any great success, for increased resources for the financing of nuclear projects. He therefore welcomed the new draft resolution, which had the same object. However, he did not think it useful at the present stage to specify the possible sources of financing and he considered that the question should be studied further. In any event, the draft resolution prepared the way for future action.

Mr. NYIRENDA (Zambia) said that the second revised version of the draft resolution removed the objections which he had expressed with respect to the two earlier versions.

Mr. EL GUEBILY (United Arab Republic) supported the new draft resolution, which took into account his objections to the first revised version of the draft. However, he thought it inappropriate, at the present stage, to take any decision on the means of financing a special fund for nuclear energy, although it would be desirable to begin studying the question immediately.

Mr. BEN ISMAIL (Kuwait) said that he fully supported the draft resolution, which dealt with important questions of special interest to the developing countries and offered promising prospects for the future.

Mr. THOMAS (Australia) said that the objections which he had raised concerning the earlier versions of the draft resolution did not apply to the second revised version, which suitably complemented draft resolution A/CONF.35/C.2/L.6.

Mr. KRISHNAN (India) said that he had no objection to the second revised version of the draft resolution. He thanked the representative of Pakistan for the constructive spirit he had shown in modifying his original proposal and eliminating the many discriminatory elements which had made it difficult to accept.

The meeting rose at 12.25 p.m.
SUMMARY RECORD OF THE FIFTEENTH MEETING

held

on Tuesday, 24 September 1968, at 3.20 p.m.

Chairman:  Mr. NABWERA  Kenya

Rapporteur:  Mr. Alfonso SANTA CRUZ  Chile
PROGRAMMES FOR CO-OPERATION IN THE FIELD OF PEACEFUL USES OF NUCLEAR ENERGY (agenda item 14):

(a) ACCESS TO AND EXCHANGE OF EQUIPMENT, MATERIALS AND SCIENTIFIC AND TECHNOLOGICAL INFORMATION FOR THE PEACEFUL USES OF NUCLEAR ENERGY AMONG NON-NUCLEAR-WEAPON STATES AND NUCLEAR WEAPON STATES (A/CONF.35/C.2/L.3/Rev.2 and L.4/Rev.2) (continued)


(c) THE QUESTION OF NUCLEAR EXPLOSIONS FOR PEACEFUL USES (continued)

(d) BENEFITS FROM PEACEFUL APPLICATIONS OF NUCLEAR EXPLOSIONS TO NON-NUCLEAR-WEAPON STATES WHICH HAVE RENOUNCED THE PRODUCTION, ACQUISITION AND USE OF NUCLEAR WEAPONS PURSUANT TO SPECIAL INTERNATIONAL AGREEMENT OR AGREEMENTS THROUGH AN APPROPRIATE INTERNATIONAL BODY OR THROUGH BILATERAL ARRANGEMENTS (continued)

Draft resolution A/CONF.35/C.2/L.3/Rev.2

Mr. USMANI (Pakistan), introducing the second revised version of his delegation's draft resolution, said his delegation had tried to meet the criticisms of the first revised version by splitting the operative part into two paragraphs.

The purpose of the first operative paragraph was to provide access to scientific institutions and nuclear establishments without discrimination between States signatory to the Treaty on the Non-Proliferation of Nuclear Weapon States which had accepted safeguards and other States.

His delegation had also restricted the scope of the second operative paragraph, which now dealt only with source or fissionable material, and equipment especially designed or prepared for the processing, use or production of special fissionable material. The provisions of that paragraph were covered by safeguard arrangements, since a State would either have ratified the Non-Proliferation Treaty and would thus abstain, under article III of the Treaty, from supplying such material and equipment to States which had not accepted the safeguards provided for in that article, or it would not have ratified the Treaty but, under the draft resolution, which reproduced the terms of article III of the treaty, it would likewise have to abstain from supplying such material and equipment to States which did not fulfill the prescribed conditions.
Material and equipment should be exchanged in the spirit of article IV of the Treaty, but it was essential that a State receiving material and equipment should submit to some discipline and accept safeguards.

Mr. CAMPBELL (Canada) said that the changes made in the draft resolution met the objections raised in the first version. His delegation would, however, have to take another close look at the language of the second operative paragraph before it could support the proposal.

Mr. ESCHAUZIER (Netherlands) agreed with the representative of Canada that the language of the draft resolution should be studied carefully. Furthermore, in addition to the two categories of countries which the Pakistan representative had mentioned, there was a third category of countries whose acceptance of an agreement with the International Atomic Energy Agency (IAEA) was conditional upon the entry into force of the Non-Proliferation Treaty. The second operative paragraph did not provide for that possibility and that was a serious loophole.

Mr. BETTINI (Italy) thought it should be possible to improve the wording of the draft resolution with a view to removing the fears of some European countries.

Draft resolution A/CONF.35/C.2/L.4/Rev.2

Mr. EDELSTAM (Sweden), introducing the second revised version of the draft resolution relating to IAEA (A/CONF.35/C.2/L.4/Rev.2), said that the sponsors had done their utmost to work out a generally acceptable text, which he hoped would receive the Committee's support.

Mr. BEB a DON (Cameroon) said that his delegation and others had criticised section V of the operative part of the draft resolution. The sponsors had drawn on another draft resolution submitted by the African countries (A/CONF.35/C.2/L.8) but had not gone far enough. While the seventh preambular paragraph expressed the concern of the developing countries at their inadequate representation in the Agency's Board of Governors, section V of the draft resolution did not restate that point sufficiently clearly.

His delegation had hoped that, after consultation, it would have been possible to reach a compromise, but it could not approve the
proposal in its present form and unless a satisfactory solution could be reached, the sponsors of the other draft resolutions would be compelled to maintain it.

Mr. PAQUI (Dahomey) supported the Cameroonian representative statement. Although the new version of the draft resolution was an improvement on the previous versions, the implications of the seventh preambular paragraph were not clearly brought out in section V. To express an "assumption" did not impose any obligation. A request or a recommendation should be addressed to the Agency.

Mr. NYIRENDA (Zambia) agreed with the remarks of the Cameroonian and Dahoman representatives and said he could not approve the draft resolution as it stood.

Mr. KRISHNAN (India) said he regretted that the reference to article V of the Treaty on the Non-Proliferation of Nuclear Weapons had been retained in the fourth preambular paragraph. It would also be difficult for his delegation to accept section III of the operative part of the draft resolution, for the allusion to article III of the Treaty on the Non-Proliferation of Nuclear Weapons could only serve to impede the transfer of fissionable material to non-nuclear-weapon States. The previous version had been more general and more complete; section III in its present form was too restrictive.

Mr. EL GUEBELLY (United Arab Republic) said his delegation was not entirely satisfied with section IV of the operative part of the draft resolution: in the first revised version, section IV had contained a reference to article V of the Treaty on the Non-Proliferation of Nuclear Weapons, which had been eliminated from the second revised version. His delegation had already given its view on that point. On the other hand, it did not see the difficulty presented by section V of the operative part. In the draft resolution under discussion, the Conference expressed its assumption that the Agency would examine the question of the composition of the Board of Governors with a view to adapting it as necessary in the light of its new responsibilities. Under the draft resolution of the African countries the Conference would recommend that the Agency should broaden the composition of its Board of Governors to ensure wider representation
for developing countries. Those were two separate questions and the best solution would probably be to adopt both texts.

Mr. THOMAS (Australia) said it was not clear to him how the provisions of the third paragraph of section I of the operative part would be applied in practice and how the nuclear-weapon States were likely to respond to the invitation to advise the Agency as to the possibility of their declassifying scientific and technical information.

Mr. NATURAL (Switzerland) said he wished to reply to the representative of Australia, for the paragraph about which he had misgivings was a diluted version of a draft resolution originally submitted by Switzerland (A/CONF.35/C.2/L.1). The idea of his delegation and the other sponsors of the draft resolution under discussion was that some means must be found of translating the assurances given in article IV of the Treaty on the Non-Proliferation of Nuclear Weapons into reality. The text of the Treaty contained no indication of how the undertaking assumed by the parties under paragraph 2 of that article was to be given practical effect, and that had been the reason for the first draft resolution his country had submitted concerning the need for access to information on advanced nuclear technology, with particular reference to enriched uranium. It had been because of the objections raised by many delegations and in order to facilitate unanimous agreement that Switzerland had weakened the text it had originally submitted.

In the first revised version of the draft resolution (A/CONF.35/C.2/L.4/Rev.1), the nuclear-weapon States had been invited to communicate to IAEA a list of scientific and technical information which they might be able to declassify with a view to the development of nuclear technology. In the second revised version now before the Committee, those States were only asked to advise the Agency as to the possibility of their declassifying that information. That was, indeed, the minimum which could be asked of the nuclear Powers.

He was not an expert of the Agency and could not explain in detail how that information would be communicated, but it seemed to him that if the nuclear Powers could inform the Agency from time to time, either every six months or every year, that such and such a process could be divulged within a specific period of time, as it would then
no longer be classified, that would greatly facilitate the preparation of research plans in the non-nuclear-weapon countries. He did not think that that would present any difficulty for the nuclear-weapon countries.

Mr. OTERO NAVASCUEDB (Spain) regretted that the proposal originally made by Switzerland had been weakened to the point where it represented little more than an appeal to the goodwill of the nuclear-weapon Powers. Those Powers, however, were morally obliged, under article IV of the Treaty on the Non-Proliferation of Nuclear Weapons, gradually to release the secrets of their techniques, with a view to their commercial exploitation.

With respect to section V of the operative part of the draft resolution, a compromise satisfactory to the delegations of the African countries should have been found. Failing such a compromise, it would be necessary to put section V of the operative part to a separate vote and also to take a vote on the draft resolution of the African countries.

Mr. BERASATEGUI (Argentina) said that section III of the operative part had been amended in such a way that there was now no reference to IAEA safeguards, but solely to the safeguards envisaged in article III of the Non-Proliferation Treaty. It would have been better to retain the previous text and also to mention the safeguards envisaged in the Treaty, as proposed by the representative of the Federal Republic of Germany. The countries signatory to the Treaty would thus apply the safeguards envisaged in article III of the Treaty, while the non-signatory countries would be subject to the Agency's safeguards system in its present form.

Mr. LENDVAY (Hungary) said that, in the third paragraph of section I of the operative part in the new revised version, the sponsors of the draft resolution had taken account of some of the suggestions made by his delegation. It nevertheless still preferred the version it itself had recommended, since the nuclear-weapon Powers would have been invited to indicate not only when they would be able to declassify hitherto secret techniques but also when they were about to treat certain techniques as classified.
Furthermore, a large number of Agency technical publications bore an indication that the information they contained had been declassified. In other words, technical information, once declassified, was very rapidly disseminated. The provisions of the third paragraph would thus be of little practical significance. Lastly, his delegation would like the words "at regular intervals" in the text of that paragraph to be replaced by the words "from time to time", which had been used by the representative of Switzerland.

With respect to section III of the operative part, his delegation could accept the new wording, as indeed it had accepted the previous wording, but could not go any further.

His delegation would have preferred the previous version of section IV of the operative part, which had defined the nature of the studies to be requested from the Agency and would thus have ensured that they were carried out more expeditiously.

His delegation had no objection to section V and urged delegations which still had such objections to reconsider their attitude. The preamble took full account of the opinion expressed by several delegations that the membership of the IAEA Board of Governors should be broadened and specifically stated that, in doing so, an equitable geographical distribution should be achieved. Moreover, the operative part provided that the Agency would adapt its procedures to its new responsibilities. As there was no longer any reference to the Treaty on the Non-Proliferation of Nuclear Weapons, those provisions should be sufficient.

Mr. VERKADE (Netherlands) said that the new revised version of the draft resolution constituted an excellent compromise.

Mr. CAMPBELL (Canada) said that, in his opinion, it would be impossible to go much further in removing all reference to the Treaty on the Non-Proliferation of Nuclear Weapons. It was futile to pretend that the Treaty, which had been the subject of lengthy negotiations and had been approved by a large majority in the General Assembly, did not exist. In any case, such an attitude was hardly in keeping with the spirit of compromise shown by the sponsors of the draft resolution.
Draft resolution A/CONF.35/C.2/L.10/Rev.1

Mr. EDELSTAM (Sweden) introducing the revised version of the draft resolution submitted by his delegation, said that the changes that had been made were slight: paragraph (c) of the preamble incorporated a modification requested by the representative of India. In the operative part, account had been taken of suggestions made by the representatives of Ethiopia and Canada.

Mr. MALIKI (Nigeria) said that his delegation wished to join Sweden in sponsoring the draft resolution.

The CHAIRMAN declared the debate on the draft resolutions closed.

After a procedural discussion in which Mr. BETTINI (Italy), the CHAIRMAN, Mr. GONZALEZ de LEON (Mexico) and Mr. SOLE (South Africa) took part, the CHAIRMAN said that, in accordance with the rules of procedure of the Conference, the Committee's decisions on the draft resolutions would be taken by a simple majority at its next meeting.

The meeting rose at 4.35 p.m.
SUMMARY RECORD OF THE SIXTEENTH MEETING

held
on Wednesday, 25 September 1968, at 11.15 a.m.

Chairman: Mr. NABWERA Kenya
Rapporteur: Mr. Alfonso SANTA CRUZ Chile
PROGRAMMES FOR CO-OPERATION IN THE FIELD OF PEACEFUL USES OF NUCLEAR ENERGY (agenda item 14):


(c) THE QUESTION OF NUCLEAR EXPLOSIONS FOR PEACEFUL USES (A/CONF.35/C.2/L.10/Rev.1 and Add.1) (continued)

(d) BENEFITS FROM PEACEFUL APPLICATIONS OF NUCLEAR EXPLOSIONS TO NON-NUCLEAR-WEAPON STATES WHICH HAVE RENOUNCED THE PRODUCTION, ACQUISITION AND USE OF NUCLEAR WEAPONS PURSUANT TO SPECIAL INTERNATIONAL AGREEMENT OR AGREEMENTS THROUGH AN APPROPRIATE INTERNATIONAL BODY OR THROUGH BILATERAL ARRANGEMENTS (A/CONF.35/C.2/L.13 and Corr.1) (continued)

Mr. BETTINI (Italy) said that his delegation, which was the sponsor of draft resolution A/CONF.35/C.2/L.11, was consulting with the group of Latin American countries with a view to preparing a joint draft resolution, which would be introduced in plenary.

Mr. USMANI (Pakistan) said that his delegation, which was the sponsor of draft resolution A/CONF.35/C.2/L.3/Rev.2, had consulted with other delegations and submitted a fresh revised version.\(^1\) He accordingly requested that the vote on the draft resolution should be postponed until the draft had been distributed.

Mr. PAQUIT (Dahomey) said that his delegation and the other sponsors of draft resolution A/CONF.35/C.2/L.8 and Add.1 and 2 had submitted a corrigendum (A/CONF.35/C.2/L.8/Corr.1), slightly modifying the original text of that proposal.

Mr. CAMPBELL (Canada) said that he would be prepared to vote for the draft resolution submitted by the Latin American countries (A/CONF.35/C.2/L.6 and Add.1 and 2) if its sponsors would agree to delete the portions giving a character of urgency to the measures envisaged. He therefore suggested the deletion of the part of the

\(^1\) Subsequently distributed as document A/CONF.35/C.2/L.3/Rev.3,
sixth preambular paragraph following the words "non-nuclear-weapon States", the words "as a matter of priority" in paragraph 1, the words "at the next meeting of its Board of Governors" and "which would be a matter of priority and" in paragraph 2 of section A of the operative part and, lastly, the words "at its next meeting" in paragraph 1 of section B of the operative part.

Mr. URQUIOLA (Philippines) requested a separate vote on the paragraphs referred to by the representative of Canada.

Draft resolution A/CONF.35/C.2/L.2/Rev.2

Draft resolution A/CONF.35/C.2/L.2/Rev.2 was approved by 75 votes to none, with 3 abstentions,

Draft resolution A/CONF.35/C.2/L.4/Rev.2

Mr. STEINER (United Republic of Tanzania) requested a separate vote on section V of the operative part.

Mr. URQUIOLA (Philippines) requested a separate vote on the second paragraph of section III of the operative part.

Mr. USMANTI (Pakistan) requested a separate vote on the third paragraph of section I of the operative part, to which his delegation had suggested an amendment, and also on the second paragraph of section III.

The CHAIRMAN pointed out that the Pakistan representative's amendment had not been submitted in writing and could not, therefore, be considered during the vote on the paragraph in question.

The third paragraph of section I of the operative part was approved by 62 votes to none, with 11 abstentions.

The second paragraph of section III of the operative part was approved by 60 votes to 1, with 16 abstentions.

Section III of the operative part as a whole was approved by 63 votes to 1, with 16 abstentions.

Section V of the operative part was approved by 59 votes to none, with 20 abstentions.

Draft resolution A/CONF.35/C.2/L.4/Rev.2 as a whole was approved by 70 votes to 2, with 8 abstentions.

Draft resolution A/CONF.35/C.2/L.5/Rev.2

Draft resolution A/CONF.35/C.2/L.5/Rev.2 was approved by 76 votes to 1, with 4 abstentions.
Draft resolution A/CONF.35/C.2/L.6 and Add.1 and 2

Mr. ZELLEKIND (Ethiopia) asked the sponsors of the draft resolution to indicate whether they were prepared to accept the amendments which had been proposed by the Canadian representative and with which he was in complete agreement.

The CHAIRMAN pointed out that no amendment had been submitted to the Secretariat in writing by the Canadian representative.

Mr. URQUIOLA (Philippines) requested a separate vote on paragraph 3 of section A and paragraph 2 of section B of the operative part.

Mr. MARTINEZ COBO (Ecuador), supported by Mr. ZEIN (Lebanon), proposed that the vote should be postponed until the afternoon meeting to give the sponsors of the draft resolution time to consider the possibility of accepting the amendments proposed by the Canadian representative.

Mr. AZEREDO da SILVEIRA (Brazil), Mr. GONZALEZ de LEON (Mexico), Mr. BERASATEGUI (Argentina) and Mr. LARRAIN (Chile) said that the vote should be taken without further delay. The majority of the sponsors of the draft resolution were of the opinion that the amendments proposed by the Canadian representative would considerably weaken the text they had prepared by removing any idea of urgency from the measures it recommended.

Mr. CAMPBELL (Canada) withdrew his amendments.

Mr. MARTINEZ COBO (Ecuador) said that there was now no reason for not taking an immediate vote.

Paragraph 3 of section A of the operative part was approved by 52 votes to 4, with 23 abstentions.

Paragraph 2 of section B of the operative part was approved by 59 votes to 4, with 20 abstentions.

Draft resolution A/CONF.35/C.2/L.6 and Add.1 and 2, as a whole, was approved by 57 votes to 5, with 17 abstentions.

Draft resolution A/CONF.35/C.2/L.8 and Corr.1 and Add.1 and 2 was approved by 51 votes to 4, with 23 abstentions.
Draft resolution A/CONF.35/C.2/L.10/Rev.1 and Add.1

Mr. GONZALEZ de LEON (Mexico) requested a separate vote on preambular paragraph (d).

The CHAIRMAN put to the vote paragraph (d) of the preamble and then the draft resolution as a whole.

Preambular paragraph (d) was approved by 39 votes to 1, with 35 abstentions.

Draft resolution A/CONF.35/C.2/L.10/Rev.1 and Add.1, as a whole, was approved by 70 votes to none, with 8 abstentions.


Mr. URGUIOLA (Philippines) requested a separate vote on operative paragraph 1.

Mr. SOLE (South Africa) requested a separate vote on operative paragraph 3.

Mr. ZELLEKE (Ethiopia) requested a separate vote on operative paragraph 5.

Paragraph 1 was approved by 34 votes to 15, with 32 abstentions.
Paragraph 3 was approved by 31 votes to 19, with 30 abstentions.
Paragraph 5 was approved by 32 votes to 6, with 40 abstentions.

At the request of the Brazilian representative, the vote on draft resolution A/CONF.35/C.2/L.13 and Corr.1 as a whole was taken by roll-call.

Somalia, having been drawn by lot by the Chairman, was called upon to vote first.

**In favour:** Spain, Trinidad and Tobago, Uganda, United Republic of Tanzania, Uruguay, Venezuela, Yugoslavia, Zambia, Afghanistan, Argentina, Austria, Brazil, Burma, Cameroon, Chile, Colombia, Dahomey, Dominican Republic, Ghana, Guatemala, Italy, Ivory Coast, Jamaica, Kenya, Mexico, Nigeria, Paraguay, Peru.

**Against:** South Africa, United Arab Republic, Yemen, Australia, Bulgaria, Canada, Czechoslovakia, Hungary, Iraq, Ireland, Libya, Mongolia, Poland.
Abstaining: Somalia, South Yemen, Sweden, Switzerland, Syria, Thailand, Tunisia, Turkey, Algeria, Belgium, Bolivia, Ceylon, China, Costa Rica, Denmark, Ecuador, Ethiopia, Federal Republic of Germany, Finland, Greece, India, Indonesia, Iran, Israel, Japan, Jordan, Kuwait, Lebanon, Liechtenstein, Malta, Mauritius, Netherlands, New Zealand, Norway, Pakistan, Philippines, Portugal, Republic of Korea, Republic of Viet-Nam, Romania.

Draft resolution A/CONF.35/C.2/L.13 and Corr.1 as a whole was approved by 28 votes to 13, with 40 abstentions.

The meeting rose at 12:25 p.m.
SUMMARY RECORD OF THE SEVENTEENTH (CLOSING) MEETING
held
on Wednesday, 25 September 1968, at 3.25 p.m.

Chairman: Mr. NABWERA Kenya
Rapporteur: Mr. Alfonso SANTA CRUZ Chile
PROGRAMMES FOR CO-OPERATION IN THE FIELD OF PEACEFUL USES OF NUCLEAR ENERGY (agenda item 14):


(c) THE QUESTION OF NUCLEAR EXPLOSIONS FOR PEACEFUL USES (A/CONF.35/C.2/L.10/Rev.1 and Add.1) (concluded)

(d) BENEFITS FROM PEACEFUL APPLICATIONS OF NUCLEAR EXPLOSIONS TO NON-NUCLEAR-WEAPON STATES WHICH HAVE RENOUNCED THE PRODUCTION, ACQUISITION AND USE OF NUCLEAR WEAPONS PURSUANT TO SPECIAL INTERNATIONAL AGREEMENT OR AGREEMENTS THROUGH AN APPROPRIATE INTERNATIONAL BODY OR THROUGH BILATERAL ARRANGEMENTS (A/CONF.35/C.2/L.13 and Corr.1) (concluded)


Mr. USMANI (Pakistan) introducing the newly revised version of his delegation's draft resolution said that the third operative paragraph was designed to take into account the views of certain countries, parties to a multilateral treaty to which not only non-nuclear-weapon States but also a nuclear-weapon State were parties. Under that treaty, that group of States possessed its own safeguards and inspection system and wished to reserve the right to continue to apply its own safeguards system so long as the conditions necessary for the opening of negotiations with the International Atomic Energy Agency (IAEA) were not fulfilled, i.e. as long as the Treaty on the Non-Proliferation of Nuclear Weapons had not come into force.

Mr. ZELLEKEY (Ethiopia) considered that the meaning of the third operative paragraph was not clear and proposed the deletion of the last phrase of the paragraph.

Mr. EL GUEBEILY (United Arab Republic) requested a separate vote on the third operative paragraph of the draft resolution.

The meeting was suspended at 3.45 p.m. and resumed at 4.25 p.m.

Mr. CAMPEELL (Canada) requested separate votes on the first and second operative paragraphs of the draft resolutions.
The first operative paragraph was adopted by 33 votes to 1, with 27 abstentions.

The second operative paragraph was rejected by 19 votes to 15, with 30 abstentions.

The third operative paragraph was rejected by 29 votes to 3, with 30 abstentions.

Draft resolution A/CONF.35/C.2/L.3/Rev.3 as a whole, as amended, was approved by 18 votes to 3 with 43 abstentions.

Mr. WARSAMA (Somalia), referring to operative part V of draft resolution A/CONF.35/C.2/L.4/Rev.2, said that his delegation had voted in favour of the draft resolution without prejudicing the position it had taken on the question of the composition of the Board of Governors of IAEA. It had voted in favour of the draft resolution which recommended that the representation on the Board of Governors of IAEA should be broadened (A/CONF.35/C.2/L.8 and Corr.1 and Add.1 and 2).

His delegation had merely abstained in the vote on draft resolution A/CONF.35/C.2/L.13 and Corr.1 out of deference to its sponsors, countries which shared the same ideas and interests as Somalia. It could not, however, understand the purpose of the proposed establishment of an "International Department for Nuclear Explosions for Peaceful Purposes", and it considered that the proliferation of such organs should be avoided. Moreover, although it recognized the importance of nuclear energy for the economic development of the developing countries, his delegation felt that, at the present time and in view of the limited resources available, the matter was not of sufficient importance to merit priority over other development programmes. Furthermore, even if it was decided to establish the international department in question there were less costly means of doing that than convening a special conference. For example, IAEA could be asked to establish the Department or the General Assembly could be requested to adopt a resolution to that effect.

Mr. EDELSTAM (Sweden) said that the four Nordic countries had abstained in the vote on draft resolution A/CONF.35/C.2/L.6 and Add.1 and 2, because it asked the nuclear-weapon States to assume major financial responsibilities but failed to mention the Treaty on the Non-Proliferation of Nuclear Weapons. They considered that the requests contained in the draft resolution should be made to the nuclear-weapon
States in the context of that Treaty. The draft Resolution contained a detailed recommendation concerning the commitments to be made by the United Nations organs. However, the delegations of the Nordic countries, could not, within the short time available, receive instructions enabling them to accept those commitments on behalf of their Government.

Mr. CALICE (Austria) said that his delegation had voted in favour of draft resolution A/CONF.35/C.2/L.13 and Corr.1, because it reaffirmed the competence of IAEA in the matter of nuclear explosions for peaceful purposes. It had, however, abstained in the vote on operative paragraph 3 because, in its view, the convening of a special conference was not the best way of establishing, within IAEA, the proposed international Department for Nuclear Explosions for Peaceful Purposes. On a number of occasions, both in plenary meetings of the present Conference and at the United Nations General Assembly, Austria had expressed its concern at the ever-increasing number of large international conferences and at the financial burden which the proliferation of such conferences imposed on the United Nations budget. His delegation support for the draft resolution did not in any way prejudice the stand it would take when the question of convening the special conference was examined by the competent United Nations organs.

Mr. CERVERA (Spain) explained that, in a spirit of compromise, his delegation had voted in favour of draft resolution A/CONF.35/C.2/L.1/h/Rev.2, although it preferred the initial draft submitted by Switzerland. The third paragraph of operative part I was not explicit enough, since it did not ask the nuclear-weapon States to declassify technical information concerning the production of nuclear-derived electrical energy and, in particular, information relating to the processing of slightly-enriched uranium. The fact that the nuclear-weapon States kept that information to themselves was contrary to the spirit of article IV of the Treaty on the Non-Proliferation of Nuclear Weapons.

Mr. CAMPBELL (Canada) said that his delegation had been obliged to abstain in the vote on draft resolution A/CONF.35/C.2/L.5/Rev.2 calling for the creation of a Special Nuclear Fund, because it had not been able to receive instructions in time.

Referring to draft resolution A/CONF.35/C.2/L.10/Rev.1, he said that the Canadian delegation had already expressed its reservations with
regard to preambular paragraph (c) and had stated that any arrangement concerning nuclear explosions for peaceful purposes must be compatible with a comprehensive nuclear test ban treaty. His delegation had voted in favour of the draft resolution although it did not approve preambular paragraph (c).

It had voted against draft resolution A/CONF.35/C.2/L.13 and Corr.1 because that text implied that the nuclear-weapon States should provide information and services related to nuclear explosions for peaceful purposes in the context of article V of the Non-Proliferation Treaty. Furthermore, IAEA must determine its competence in that field before a department was created for that purpose. The Canadian delegation did not think it advisable to convene a special conference on that subject before IAEA had carried out the relevant studies.

Mr. BEDTINTI (Italy) said that his delegation had abstained in the vote on draft resolution A/CONF.35/C.2/L.10/Rev.1 and Add.1 because it shared the Swedish delegation's views regarding the need to conclude an agreement on a comprehensive nuclear test ban as soon as possible. The proposal linked nuclear explosions for peaceful purposes too closely with a comprehensive nuclear test ban, and that might delay the conclusion of an agreement on that subject.

The Italian delegation had voted in favour of draft resolution A/CONF.35/C.2/L.5/Rev.2, but considered that the question of the creation of a Special Nuclear Fund should be studied further. That could be done in the committee whose establishment had been proposed by the Italian and several Latin American delegations.

Lastly, although the Italian delegation had voted in favour of draft resolution A/CONF.35/C.2/L.8 and Corr.1 and Add.1, it felt that that text should be construed in a very general sense and that the composition of the Board of Governors of the IAEA should be expanded so as to reflect a more equitable geographical representation of all the non-nuclear-weapon States, and not only of the developing countries.

Mr. THOMAS (Australia) said that his delegation had abstained in the vote on draft resolution A/CONF.35/C.2/L.5/Rev.2 because it felt that an undertaking was premature before IAEA had studied the possibility of establishing the proposed fund.
The Australian delegation had abstained in the vote on draft resolution A/CONF.35/C.2/L.10/Rev.1 and Add.1, as a whole, and had voted against preambular paragraph (d) because it regretted the lack of any reference to bilateral arrangements, which could not be ruled out and which were provided for in article V of the Treaty on the Non-Proliferation of Nuclear Weapons.

Mr. USMANI (Pakistan) explained that his delegation had abstained in the vote on draft resolution A/CONF.35/C.2/L.4/Rev.2 because it had proposed that the third paragraph of Part I of that text should be replaced by a clearer version, which had, unfortunately, not been adopted. His delegation had also had to abstain on the second paragraph of part III because the special fissionable materials referred to in that paragraph included not only uranium 235, of which the nuclear-weapon States had a monopoly, but also plutonium, which could be produced by non-nuclear-weapon States. The delegation of Pakistan would have preferred that the non-nuclear-weapon States able to facilitate the availability of fissionable materials should also be requested to do so.

His delegation had abstained in the vote on draft resolution A/CONF.35/C.2/L.6 and Add.1 and 2, and particularly on part A, paragraph 3, because the responsibility for financing the two programmes referred to in that text should not be assigned solely to the nuclear-weapon States, but also to the non-nuclear-weapon States able to assume such responsibility.

Mr. RAMISCH (Federal Republic of Germany) said that he had voted in favour of draft resolution A/CONF.35/C.2/L.4/Rev.2 on the understanding that the seventh preambular paragraph meant that several delegations had expressed the opinion that the membership of the Board of Governors of the IAEA should be changed so as to reflect a more equitable distribution, in the broad sense of the term. He interpreted operative part III of the draft resolution as meaning that the "safeguards as envisaged in article III of the Treaty" were in keeping with the IAEA Statute and Safeguards System, that they also conformed to the provisions of article XVI of the Statute of the Agency, which provided for the conclusion of agreements between the Agency and the organizations whose tasks might be linked with those of the Agency, and that they further
conformed to the provisions of paragraph 28 (d) of the document setting forth the IAEA safeguards system which explicitly provided for the existence of safeguards other than those of the Agency but generally consistent with them.

Mr. KRISHNAN (India) said that he had voted against Part III of draft resolution A/CONF.35/C.2/L.4/Rev.2 and, consequently, against the draft resolution as a whole. His delegation had no objection to the wording of Part III in the first revised version, but the words "safeguards by the Agency" had been replaced by "safeguards as envisaged in Article III of the Treaty". In his delegation's view that was tantamount to saying: "the safeguards contained in Article III of the Treaty", which limited the whole concept of safeguards. That formula was unacceptable to the Indian delegation.

Mr. SAWNUT (Malta) said that his delegation had abstained in the vote on draft resolution A/CONF.35/C.2/L.13 and Corr.1. It naturally supported the idea underlying the draft resolution, that the benefits of nuclear explosions for peaceful purposes should be accessible to all countries; however, that question called for thorough study and was not an urgent matter. Because of the differences of opinion which had become apparent during the discussion, his delegation had not felt able to take a final position one way or the other.

Mr. OTA (Japan) said that his delegation had abstained in the vote on draft resolution A/CONF.35/C.2/L.6 and Add.1 and 2. That draft resolution dealt with extremely complex questions and the Japanese delegation had not had time to consult its Government's experts on the matter.

Mr. NATURAL (Switzerland) said that his delegation had abstained in the vote on draft resolution A/CONF.35/C.2/L.6 and Add.1 and 2, although it did not oppose the ideas embodied in it. Admittedly, the Swiss delegation had not been certain that the Conference was entitled to ask the nuclear Powers to make special financial sacrifices in that connexion, but its main reason for abstaining had been that the proposal was an important one involving primarily the activities of the United Nations and the International Bank for Reconstruction and Development (IBRD); since Switzerland was not a member of either organization, its delegation had considered that it was not entitled to take part in the vote. Nevertheless, Switzerland recognized that the Banks, in particular, could play a very effective role in the proposed programme.
The Swiss delegation had also abstained in the vote on draft resolution A/CONF.35/C.2/L.8 and Corr.1 and Add.1 and 2. The considerations weighing in favour of broadening the composition of the Board of Governors of IAEA were not solely geographical. The relevant provisions of draft resolution A/CONF.35/C.2/L.4/Rev.2 were adequate for that purpose.

His delegation had likewise abstained in the vote on draft resolution A/CONF.35/C.2/L.13 and Corr.1. It had no fundamental objection to the proposal, but considered that the problem of nuclear explosions for peaceful purposes was not a pressing one and that it would be premature to take any decision concerning the establishment of machinery. The provision of Part IV of draft resolution A/CONF.35/C.2/L.4/Rev.2 were sufficient for the time being.

Mr. EL GUEBEILY (United Arab Republic) said that he abstained in the vote on paragraph (d) of draft resolution A/CONF.35/C.2/L.10/Rev.1 and Add.1. His delegation was, however, in favour of the general aim of the proposal, which stressed the need to obtain, as rapidly as possible, a comprehensive test ban treaty, and to solve the problem of explosions for peaceful purposes in a manner compatible with a comprehensive test ban treaty. However, there was no need at the present juncture to raise such important questions as the establishment of a special international instrument, a matter which would have to be studied further by the Eighteen-Nation Committee on Disarmament and the United Nations General Assembly.

His delegation had nevertheless voted in favour of the draft resolution as a whole, precisely because it deemed it essential to stress the need to conclude a comprehensive test ban treaty. Moreover, the introduction, in the operative part of the revised version, of the words "also" and "compatible with a comprehensive test ban treaty" had removed some of its misgivings. The word "also" was to be taken as meaning that the question of nuclear explosions for peaceful purposes was linked not merely to the conclusion of a comprehensive test ban treaty, but also to the Treaty on the Non-Proliferation of Nuclear Weapons, under which non-nuclear-weapon States signatories to the Treaty were forbidden to carry out any explosion whatsoever. He hoped that the draft resolution would not be interpreted as authorizing nuclear
explosions for peaceful purposes until such time as a comprehensive test ban treaty had been concluded.


In the course of the discussion his delegation had emphasized that in order to benefit from the advantages of nuclear material, nuclear technology and nuclear explosions for peaceful purposes certain provisions of the Treaty on the Non-Proliferation of Nuclear Weapons should be taken into account. However, those provisions were not taken into consideration in several parts of the draft resolutions he had mentioned. It would be unfair to authorize all non-nuclear-weapon States to benefit from nuclear technology regardless of whether they had signed the Treaty on the Non-Proliferation of Nuclear Weapons. The signatories to the Treaty accepted certain obligations which did not apply to non-signatories.

Mr. HASRAT (Afghanistan) said that he had voted in favour of draft resolution A/CONF.35/C.2/L.4/Rev.2 as a whole but had abstained in the vote on operative part V because certain delegations had expressed dissatisfaction with the solution given to the problem of enlarging the membership of the Board of Governors of IAEA. His delegation wished the principle of equitable geographical distribution to be observed.

Mr. BATISTA (Brazil) explained that he had voted in favour of draft resolution A/CONF.35/C.2/L.4/Rev.2 as a whole but had abstained in the vote on operative part III. For that part of the text his delegation would have been prepared to accept the wording in the original version (A/CONF.35/C.2/L.4). It had reservations concerning the fact that only article III of the Treaty on the Non-Proliferation of Nuclear Weapons - which, in its view, was not sufficiently comprehensive - was now mentioned. His delegation would also have liked to see IAEA's safeguards system mentioned. It might have voted against part III but had decided to abstain in the hope that the text would be improved before it was put to the vote in plenary meeting of the Conference.
Mr. MALIKI (Nigeria) said that his delegation had voted against draft resolution A/CONF.35/C.2/L.5/Rev.2 and had, moreover, been the only one to do so. It considered that a special nuclear fund would probably have to be established some day, but the time for that had not yet come. If it was established immediately, the fund would very probably not have sufficient resources to be effective. The problem should be solved gradually. All that was needed for the time being was to establish an international department within the framework of IAEA, as provided in operative paragraph 3 of draft resolution A/CONF.35/C.2/L.13 and Corr.1.

Mr. HOLMES (Ireland) said that his delegation had abstained in the votes on draft resolution A/CONF.35/C.2/L.3/Rev.3 and A/CONF.35/C.2/L.6 and Add.1 and 2. It had voted against draft resolution A/CONF.35/C.2/L.13 and Corr.1. Its main reasons for doing so were those which it had given in the general debate at the 9th meeting; they all derived from the fact that Ireland gave priority to the entry into force at the earliest possible date of the Treaty on the Non-Proliferation of Nuclear Weapons, which was a prerequisite for any progress in the field of the peaceful uses of nuclear energy.

CONCLUSION OF THE COMMITTEE'S WORK

The PRESIDENT, declaring the work of Committee Two concluded, said he was convinced that during its deliberations many countries signatory to the Treaty on the Non-Proliferation of Nuclear Weapons and non-signatory had come to realize that they had many real interests in common.

The meeting rose at 5.30 p.m.