

# Foreign Ministers Conference, Geneva 1959 ; Berlin question 1959 ; Outer sp...

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## Disarmament

9 July 60

Aide-Memoire (conc. Conference of Ten in Geneva)

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AIDE MEMOIRE

1. The United Nations Secretariat in Geneva<sup>a</sup> assisting the Conference of Ten, was instructed by the Secretary-General to continue to serve also after the walkout of the five Soviet group members. This instruction was based on the obligations he had incurred in relation to the various members of the group and which he did not consider as nullified in relation to the others by the walk-out. Thus, the instruction did not imply a judgment regarding the question whether or not the Conference continued and it did not prejudice the stand of the Secretary-General on the status of the documents which might result from continued meetings.
2. The Conference has unanimously decided that its documents should be made "available". This general decision obviously applies to all the Conference documents regarded as such by all the members, but it cannot be considered as applying automatically to documents the status of which is contested by one of the two sides. Thus, while the Secretary-General is under an obligation to make available the documents of the Conference up to the point to which they are not contested, he is not entitled by the above-mentioned decision to make available documents after the walk-out as the status of these latter documents is contested. Also this strictly legal position does not imply any decision of the Secretary-General on the question whether the Conference continued or not.
3. Were the Chairman of the Disarmament Commission, referring to the decision of the Conference on availability, to request the Secretary-General to implement this decision by the circulation of the documents of the Conference to the members of the Commission as DC/documents, the Secretary-General would in the circumstances have to reply that he will comply with this request as regards the documents up to the time to which their character as conference documents is not contested, but that he cannot circulate the documents belonging to the time after the walk-out as those documents are not automatically covered by the general decision of the Conference that the conference documents should be made ~~xxxxxx~~ available.

9 July 1960

## AIDE MEMOIRE

1. The United Nations Secretariat in Geneva, assisting the Conference of Ten, was instructed by the Secretary-General to continue to serve also after the walk-out of the five Soviet group members. This instruction was based on the obligations he had incurred in relation to the various members of the group and which he did not consider as nullified in relation to the others by the walk-out. Thus, the instruction did not imply a judgment regarding the question whether or not the Conference continued and it did not prejudge the stand of the Secretary-General on the status of the documents which might result from continued meetings.

2. The Conference has unanimously decided that its documents should be made "available". This general decision obviously applies to all the Conference documents regarded as such by all the members, but it can not be considered as applying automatically to documents the status of which is contested by one of the two sides. Thus, while the Secretary-General is under an obligation to make available the documents of the Conference up to the point to which they are not contested, he is not entitled by the above-mentioned decision to make available documents after the walk-out as the status of these latter documents is contested. Also this strictly legal position does not imply any decision of the Secretary-General on the question whether the Conference continued or not.

3. Were the Chairman of the Disarmament Commission, referring to the decision of the Conference on availability, to request the Secretary-General to implement this decision by the circulation of the documents of the Conference to the members of the Commission as *EC/* documents, the Secretary-General would in the circumstances have to reply that he will <sup>comply</sup> with this request as regards the documents up to the time to which their character as conference documents is not contested, but that he can not circulate the documents belonging to the time after the walk-out as these documents are not automatically covered by the general decision of the Conference that the conference documents should be made available.

9 July 1960