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Agenda item 46

### CESSATION OF ALL TEST EXPLOSIONS OF NUCLEAR WEAPONS

#### Report of the First Committee

Rapporteur: Mr. Ngaré KESSELY (Chad)

#### I. INTRODUCTION

1. The item entitled "Cessation of all test explosions of nuclear weapons: report of the Conference on Disarmament" was included in the provisional agenda of the thirty-ninth session in accordance with General Assembly resolution 38/62 of 15 December 1983.
2. At its 3rd plenary meeting, on 21 September 1984, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the First Committee.
3. At its second meeting, on 15 October, the First Committee decided to hold a general debate on the disarmament items allocated to it, namely, items 45 to 65 and item 142 which was allocated to the First Committee by the General Assembly at its 27th plenary meeting, on 9 October, followed by statements on specific disarmament agenda items and continuation of the general debate, as necessary. The deliberations on those items took place between the 3rd and the 36th meetings, from 17 October to 12 November (see A/C.1/39/PV.3-36).
4. In connection with item 46, the First Committee had before it the following documents:
  - (a) Report of the Conference on Disarmament; 1/
  - (b) Letter dated 23 May 1984 from the representatives of Argentina, Greece, India, Mexico, Sweden and the United Republic of Tanzania to the United Nations

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1/ Official Records of the General Assembly, Thirty-ninth Session, Supplement No. 27 (A/39/27).

addressed to the Secretary-General, transmitting the Joint Declaration by Mrs. Indira Gandhi, Prime Minister of India, Mr. Miguel de la Madrid, President of Mexico, Mr. Julius Nyerere, President of the United Republic of Tanzania, Mr. Olof Palme, Prime Minister of Sweden, Mr. Andreas Papandreou, Prime Minister of Greece, and Mr. Raúl Alfonsín, President of Argentina, issued on 22 May 1984 at Athens, Buenos Aires, Dar es Salaam, Mexico City, New Delhi and Stockholm (A/39/277-S/16587);

(c) Note verbale dated 7 June 1984 from the Permanent Mission of Peru to the United Nations addressed to the United Nations Secretariat (A/39/296-S/16619);

(d) Letter dated 9 July 1984 from the Permanent Representatives of Chile, Colombia, Ecuador and Peru to the United Nations addressed to the Secretary-General, transmitting the text of the declaration adopted by the Permanent Commission for the South Pacific (A/39/343);

(e) Letter dated 27 September 1984 from the Chargé d'Affaires a.i. of the Permanent Mission of Togo to the United Nations addressed to the Secretary-General (A/39/529);

(f) Letter dated 8 October 1984 from the Permanent Representative of India to the United Nations addressed to the Secretary-General, transmitting the Final Communiqué of the Meeting of Ministers and Heads of Delegation of the Non-Aligned Countries to the thirty-ninth session of the General Assembly, held in New York from 1 to 5 October 1984 (A/39/560-S/16773).

## II. CONSIDERATION OF DRAFT RESOLUTION A/C.1/39/L.33

5. On 9 November, Bangladesh, Ecuador, Kenya, Mexico, Pakistan, Sri Lanka, Sweden, Uruguay, Venezuela and Yugoslavia submitted a draft resolution entitled "Cessation of all test explosions of nuclear weapons" (A/C.1/39/L.33), which was later also sponsored by Indonesia. The draft resolution was introduced by the representative of Mexico at the 38th meeting, on 14 November.

6. At its 47th meeting, on 26 November, the Committee adopted draft resolution A/C.1/39/L.33 by a recorded vote of 111 to 2, with 24 abstentions (see para. 7). The voting was as follows:

In favour: Afghanistan, Algeria, Angola, Argentina, Austria, Bahrain, Bangladesh, Bhutan, Bolivia, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Central African Republic, Chad, Chile, Colombia, Comoros, Congo, Costa Rica, Cuba, Cyprus, Czechoslovakia, Democratic Yemen, Djibouti, Dominican Republic, Ecuador, Egypt, Ethiopia, Fiji, Finland, Gabon, German Democratic Republic, Ghana, Greece, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Ivory Coast, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia,

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Morocco, Mozambique, Nepal, Nicaragua, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe.

Against: United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Australia, Bahamas, Belgium, Brazil, Burma, Canada, China, Denmark, France, Germany, Federal Republic of, Iceland, India, Israel, Italy, Japan, Luxembourg, Netherlands, New Zealand, Norway, Portugal, Samoa, Solomon Islands, Spain, Turkey.

### III. RECOMMENDATION OF THE FIRST COMMITTEE

7. The First Committee recommends to the General Assembly the adoption of the following draft resolution:

#### Cessation of all test explosions of nuclear weapons

##### The General Assembly,

Bearing in mind that the complete cessation of nuclear-weapon tests, which has been examined for more than twenty-five years and on which the General Assembly has adopted nearly fifty resolutions, is a basic objective of the United Nations in the sphere of disarmament, to the attainment of which it has repeatedly assigned the highest priority,

Stressing that on seven different occasions it has condemned such tests in the strongest terms and that, since 1974, it has stated its conviction that the continuance of nuclear-weapon testing will intensify the arms race, thus increasing the danger of nuclear war,

Convinced that the existing means of verification are adequate to ensure compliance with a nuclear test ban and that the alleged absence of such means of verification is nothing but an excuse for further development and refinement of nuclear weapons,

Reiterating the assertion made in several previous resolutions that, whatever may be the differences on the question of verification, there is no valid reason for delaying the conclusion of an agreement on a comprehensive test ban,

Recalling that since 1972 the Secretary-General has declared that all the technical and scientific aspects of the problem have been so fully explored that only a political decision is now necessary in order to achieve final

agreement that when the existing means of verification are taken into account it is difficult to understand further delay in achieving agreement on an underground-test ban, and that the potential risks of continuing underground nuclear-weapon tests would far outweigh any possible risks from ending such tests,

Bearing in mind that the three nuclear-weapon States which acted as depositaries of the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water 2/ in the report they submitted on 30 July 1980 to the Committee on Disarmament, after four years of trilateral negotiations, stated, *inter alia*, that they were "mindful of the great value for all mankind that the prohibition of all nuclear-weapon test explosions in all environments will have" as well as "conscious of the important responsibility placed upon them to find solutions to the remaining problems", adding furthermore that they were "determined to exert their best efforts and necessary will and persistence to bring the negotiations to an early and successful conclusion", 3/

Taking into account that the same three nuclear-weapon States undertook twenty years ago, in the above-mentioned Treaty, to seek the achievement of the discontinuance of all test explosions of nuclear weapons for all time and that such an undertaking was explicitly reiterated in 1968 in the preamble to the Treaty on the Non-Proliferation of Nuclear Weapons, 4/ article VI of which further embodies their solemn and legally binding commitment to take effective measures relating to cessation of the nuclear-arms race at an early date and to nuclear disarmament,

Bearing in mind the growing negative influence that the total lack of compliance with those undertakings had on both the first and the second Review Conferences of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, held at Geneva from 5 to 30 May 1975 and from 11 August to 7 September 1980, respectively,

Convinced that the maintenance of such a situation would not augur well for the third review conference of that Treaty, which is to take place in 1985, and even for the future of the Treaty itself,

Deploing that, due to the persistent obstruction of a very small number of its members, the Conference on Disarmament has been unable to initiate multilateral negotiation of a treaty for the prohibition of all nuclear-weapon tests, as it was specifically requested to do in General Assembly resolution 38/62 of 15 December 1983,

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2/ United Nations, Treaty Series, vol. 634, No. 9068, p. 326.

3/ See CD/139/Appendix II/vol. II, document CD/130.

4/ Resolution 2373 (XXII), annex.

Noting that the Conference on Disarmament has already received various concrete proposals on this question, including a complete draft for the eventual text of the treaty as a whole,

1. Reiterates, for the eighth time, its strongest condemnation of all nuclear-weapon tests;
2. Reiterates also once again its grave concern that nuclear-weapon testing continues unabated, against the wishes of the overwhelming majority of Member States;
3. Reaffirms its conviction that a treaty to achieve the prohibition of all nuclear-test explosions by all States for all time is a matter of the highest priority;
4. Reaffirms also its conviction that such a treaty would constitute a contribution of the utmost importance to the cessation of the nuclear-arms race and an indispensable element for the success of the Treaty on the Non-Proliferation of Nuclear Weapons, since it is only through the fulfilment of the obligations under the Treaty that its three depositary Powers may expect all other parties to comply likewise with their respective obligations;
5. Urges once more the three depositary Powers of the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water and of the Treaty on the Non-Proliferation of Nuclear Weapons to abide strictly by their undertakings to seek to achieve the early discontinuance of all test explosions of nuclear weapons for all time and to expedite negotiations to this end;
6. Urges also all States that have not yet done so to adhere to the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water and, meanwhile, to refrain from testing in the environments covered by that Treaty;
7. Reiterates its appeal to all States members of the Conference on Disarmament to initiate immediately the multilateral negotiation of a treaty for the prohibition of all nuclear-weapon tests and to exert their best endeavours in order that the Conference may transmit to the General Assembly at its fortieth session the complete draft of such a treaty;
8. Calls upon the States depositaries of the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water and the Treaty on the Non-Proliferation of Nuclear Weapons, by virtue of their special responsibilities under those two Treaties and as a provisional measure, to bring to a halt without delay all nuclear-test explosions, either through a trilaterally agreed moratorium or through three unilateral moratoria;
9. Decides to include in the provisional agenda of its fortieth session the item entitled "Cessation of all test explosions of nuclear weapons".