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Agenda item 50

CESSATION OF ALL TEST EXPLOSIONS OF NUCLEAR WEAPONS

Report of the First Committee

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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 fortieth session in accordance with General Assembly resolution 39/52 of 12 December 1984.
2. At its 3rd plenary meeting, on 20 September 1985, 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 2nd meeting, on 9 October, the First Committee decided to hold a general debate on the disarmament items allocated to it, namely, items 48 to 69 and item 145, 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 32nd meetings, from 14 October to 3 November (see A/C.1/40/PV.3-32).
4. In connection with item 50, the First Committee had before it the following documents:
 - (a) Report of the Conference on Disarmament; 1/
 - (b) Letter dated 30 January 1985 from the representatives of Argentina,

1/ Official Records of the General Assembly, Fortieth Session, Supplement
o. 27 (A/40/27 and Corr.1).

Greece, India, Mexico, Sweden and the United Republic of Tanzania to the United Nations addressed to the Secretary-General, transmitting the Delhi Declaration adopted and issued at New Delhi on 28 January 1985 by the Heads of State or Government of Argentina, Greece, India, Mexico, Sweden and the United Republic of Tanzania (A/40/114-S/16921);

(c) Letter dated 1 May 1985 from the Permanent Representative of Indonesia to the United Nations addressed to the Secretary-General, transmitting the text of the Declaration of the Commemorative Meeting in Observance of the Thirtieth Anniversary of the Asian-African Conference, held at Bandung, Indonesia, on 24 and 25 April 1985 (A/40/276-S/17138);

(d) Letter dated 19 September 1985 from the Permanent Representative of Papua New Guinea to the United Nations addressed to the Secretary-General, transmitting the communiqué adopted at the Sixteenth South Pacific Forum, held at Rarotonga, Cook Islands, on 5 and 6 August 1985 (A/40/672-S/17488);

(e) Letter dated 30 October 1985 from the representatives of Argentina, Greece, India, Mexico, Sweden and the United Republic of Tanzania to the United Nations addressed to the Secretary-General, transmitting the joint message dated 24 October 1985 addressed to the President of the United States of America and the General Secretary of the Central Committee of the Communist Party of the Soviet Union by the Heads of State or Governments of Argentina, Greece, India, Mexico, Sweden and the United Republic of Tanzania (A/40/825-S/17596);

(f) Letter dated 12 November 1985 from the Permanent Representative of the Union of Soviet Socialist Republics to the United Nations addressed to the Secretary-General (A/40/888-S/17629);

(g) Letter dated 18 November 1985 from the Permanent Representative of the Union of Soviet Socialist Republics to the United Nations addressed to the Secretary-General (A/40/900).

II. CONSIDERATION OF PROPOSALS

A. Draft resolution A/C.1/40/L.35 and Rev.1

5. On 7 November 1985, Ecuador, Indonesia, Kenya, Mexico, Pakistan, Peru, Sri Lanka, Sweden and Yugoslavia submitted a draft resolution entitled "Cessation of all test explosions of nuclear weapons" (A/C.1/40/L.35). The draft resolution was introduced by the representative of Mexico at the 32nd meeting, on 8 November, and read as follows:

"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 eight 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,

"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 then Secretary-General of the United Nations 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,

"Recalling also that the current Secretary-General, addressing a plenary meeting of the General Assembly on 12 December 1984, after appealing for a renewed effort towards a comprehensive test-ban treaty, emphasized that no single multilateral agreement could have a greater effect on limiting the further refinement of nuclear weapons and that a comprehensive test-ban treaty is the litmus test of the real willingness to pursue nuclear disarmament,

"Taking into account that the three nuclear-weapon States which act as depositaries of the 1963 Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water undertook in article 1 of that Treaty to conclude a treaty resulting in the permanent banning of all nuclear-test explosions, including all those explosions underground, and that such an undertaking was reiterated in 1968 in the preamble to the Treaty on the Non-Proliferation of Nuclear Weapons, 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 that the same three nuclear-weapon States, 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 to be 'determined to exert their best efforts and necessary will and persistence to bring the negotiations to an early and successful conclusion',

"Noting that the Third Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, in its Final Declaration approved in September 1985, called on the nuclear-weapon States parties to the Treaty to resume trilateral negotiations in 1985 and on all the nuclear-weapon States

to participate in the urgent negotiation and conclusion of a comprehensive nuclear-test ban treaty as a matter of the highest priority in the Conference on Disarmament,

"Bearing in mind that the multilateral negotiation of such a treaty in the Conference on Disarmament must cover all the various interrelated problems which it will be necessary to solve in order that the Conference may transmit a complete draft treaty to the General Assembly,

"1. Reiterates once again its grave concern that nuclear-weapon testing continues unabated, against the wishes of the overwhelming majority of Member States;

"2. 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;

"3. 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;

"4. 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;

"5. Appeals to all States members of the Conference on Disarmament, in particular to the three depositary Powers of the two Treaties mentioned in the previous paragraph, to promote the establishment by the Conference at the beginning of its 1986 session of an ad hoc committee to carry out the multilateral negotiation of a treaty on the complete cessation of nuclear-test explosions;

"6. Recommends to the Conference on Disarmament that it instruct such ad hoc committee to establish two working groups which will deal, respectively, with the following interrelated questions:

"Working Group I - Structure and scope of the Treaty

"Working Group II - Compliance and verification;

"7. 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, for which they would then proceed to negotiate the establishment of appropriate means of verification;

"8. Decides to include in the provisional agenda of its forty-first session an item entitled 'Cessation of all nuclear-test explosions: report of the Conference on Disarmament'."

6. On 20 November, Austria, Ecuador, Finland, Indonesia, Ireland, Kenya, Mexico, Pakistan, Peru, Sri Lanka, Sweden and Yugoslavia submitted a revised draft resolution (A/C.1/40/L.35/Rev.1), containing the following changes:

(a) Operative paragraph 1 was revised to read as follows:

"Reiterates once again its grave concern that nuclear-weapon tests have not yet stopped, in spite of the wishes of the overwhelming majority of Member States";

(b) Operative paragraph 3 was revised to read as follows:

"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 that the commencement of negotiations on such a treaty is an indispensable element of the obligations of States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons under Article VI of that Treaty".

7. At its 45th meeting, on 21 November, the Committee adopted draft resolution A/C.1/40/L.35/Rev.1 by a recorded vote of 111 to 2, with 25 abstentions (see para. 10, draft resolution A). The voting was as follows:

In favour: Afghanistan, Algeria, Angola, Argentina, Austria, Bahamas, Bahrain, Bangladesh, Benin, Bhutan, Bolivia, Botswana, Brunei Darussalam, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Central African Republic, Chad, Chile, Colombia, Comoros, Congo, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Djibouti, Dominican Republic, Ecuador, Egypt, Ethiopia, Fiji, Finland, Gabon, German Democratic Republic, Ghana, Greece, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Ivory Coast (Côte d'Ivoire), Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, 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, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zimbabwe.

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

Abstaining: Antigua and Barbuda, Australia, Belgium, Brazil, Canada, China, Denmark, France, Germany, Federal Republic of, Grenada, Iceland, Israel, Italy, Japan, Luxembourg, Netherlands, New Zealand, Norway, Papua New Guinea, Portugal, Samoa, Solomon Islands, Spain, Turkey, Zambia.

B. Draft resolution A/C.1/40/L.49

8. On 7 November 1985, Indonesia, Kenya, Mexico, Peru, Sri Lanka and Yugoslavia submitted a draft resolution entitled "Cessation of all test explosions of nuclear weapons" (A/C.1/40/L.49), which was later also sponsored by Ecuador. The draft resolution was introduced by the representative of Mexico at the 32nd meeting, on 8 November.

9. At its 45th meeting, on 21 November, the Committee adopted draft resolution A/C.1/40/L.49 by a recorded vote of 108 to 3, with 26 abstentions (see para. 10, draft resolution B). The voting was as follows:

In favour: Afghanistan, Algeria, Angola, Bahamas, Bahrain, Bangladesh, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Central African Republic, Chad, Chile, Colombia, Comoros, Congo, Cuba, Cyprus, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Djibouti, Dominican Republic, Ecuador, Egypt, Ethiopia, Fiji, Gabon, German Democratic Republic, Ghana, Greece, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Ivory Coast (Côte d'Ivoire), Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Qatar, Romania, Rwanda, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, 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, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zimbabwe.

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

Abstaining: Antigua and Barbuda, Argentina, Australia, Austria, Belgium, Canada, Denmark, Finland, Germany, Federal Republic of, Grenada, Iceland, Ireland, Israel, Italy, Japan, Luxembourg, Netherlands, New Zealand, Norway, Portugal, Samoa, Solomon Islands, Spain, Sweden, Turkey, Zambia.

III. RECOMMENDATIONS OF THE FIRST COMMITTEE

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

Cessation of all test explosions of nuclear weapons

A

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 eight 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,

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 as early as 1972 the Secretary-General of the United Nations 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,

Recalling also that the current Secretary-General, addressing a plenary meeting of the General Assembly on 12 December 1984, after appealing for a renewed effort towards a comprehensive test-ban treaty, emphasized that no single multilateral agreement could have a greater effect on limiting the further refinement of nuclear weapons and that a comprehensive test-ban treaty is the litmus test of the real willingness to pursue nuclear disarmament,

Taking into account that the three nuclear-weapon States which act as depositaries of the 1963 Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water 2/ undertook in article 1 of that Treaty to conclude a treaty resulting in the permanent banning of all nuclear-test explosions, including all those explosions underground, and that such an undertaking was reiterated in 1968 in the preamble to the Treaty on the Non-Proliferation of Nuclear Weapons, 3/ 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 that the same three nuclear-weapon States, 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", 4/

Noting that the Third Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, in its Final Declaration 5/ approved in September 1985, called upon the nuclear-weapon States parties to the Treaty to resume trilateral negotiations in 1985 and called upon all the nuclear-weapons States to participate in the urgent negotiation and conclusion of a comprehensive nuclear-test ban treaty as a matter of the highest priority in the Conference on Disarmament,

Bearing in mind that the multilateral negotiation of such a treaty in the Conference on Disarmament must cover all the various interrelated problems which it will be necessary to solve in order that the Conference may transmit a complete draft treaty to the General Assembly,

1. Reiterates once again its grave concern that nuclear-weapon tests have not yet stopped, in spite of the wishes of the overwhelming majority of Member States;
2. 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;

2/ United Nations, Treaty Series, vol. 480, No. 6949, p. 43.

3/ Resolution 2373 (XXII), annex.

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

5/ See A/C.1/40/9, annex I.

3. 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 that the commencement of negotiations on such a treaty is an indispensable element of the obligations of States parties to the Treaty on the Non-Proliferation of Nuclear Weapons under article VI of that Treaty;

4. 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;

5. Appeals to all States members of the Conference on Disarmament, in particular to 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 promote the establishment by the Conference at the beginning of its 1986 session of an ad hoc committee to carry out the multilateral negotiation of a treaty on the complete cessation of nuclear-test explosions;

6. Recommends to the Conference on Disarmament that it instruct such an ad hoc committee to establish two working groups which will deal, respectively, with the following interrelated questions:

(a) Working Group I - Structure and scope of the Treaty;

(b) Working Group II - Compliance and verification;

7. 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, for which they would then proceed to negotiate the establishment of appropriate means of verification;

8. Decides to include in the provisional agenda of its forty-first session the item entitled "Cessation of all nuclear-test explosions".

B

The General Assembly,

Bearing in mind the determination, proclaimed since 1963 in the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water, 2/ to seek to achieve the discontinuance of all test explosions of nuclear weapons for all time and to continue negotiations to this end,

/...

Bearing also in mind that in 1968 the Treaty on the Non-Proliferation of Nuclear Weapons 3/ recalled such determination and included in its article VI an undertaking by each of its parties to pursue negotiations in good faith on effective measures relating to cessation of the nuclear-arms race at any early date,

Recalling that in its resolution 2028 (XX) of 19 November 1965, unanimously approved, it had stressed that one of the basic principles on which the treaty to prevent the proliferation of nuclear-weapons should be based was that such treaty, which was then to be negotiated, should embody an acceptable balance of mutual responsibilities and obligations of the nuclear and non-nuclear Powers,

Recalling also that the third Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, in its Final Declaration 5/ approved by consensus on 21 September 1985, expressed its deep regret that a comprehensive multilateral nuclear test ban treaty had not been concluded so far and called for urgent negotiations and conclusion of such a treaty as a matter of the highest priority,

Noting that article II of the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water provides a procedure for the consideration and eventual adoption of amendments to the Treaty by a Conference of its parties,

Recommends that States parties to the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water carry out urgent consultations among themselves as to the advisability and most appropriate method of taking advantage of the provisions of its article II for the conversion of the partial nuclear test ban treaty into a comprehensive nuclear test ban treaty.
